

Considered: _____

WATER PERMIT NO. 5673-3

Phone: 337-2404

Name of Applicant: Cedar Grove Colony

Post Office Address: RR 1, Box 132, Platte SD 57369

Amount of Water Claimed: 75 gpm (0.17 gpm) Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: domestic County: Brule

About 16 miles S, 8E of Kimball

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 6-15-92 Fee: \$150 Remarks _____

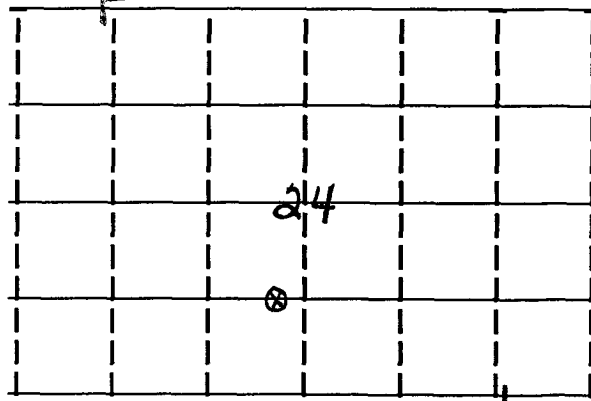
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: E 1/2 SW 1/4 Sec 24-T101N-R67W

Land to be Irrigated: _____



Well Log: Driller: Huron Drilling, Inc. Licensed YES X NO _____

Depth of Well: 930' REMARKS _____

Type of Map: aerial PREPARED BY: Susan Goodman Reviewed and the Number

Assigned on 6-16-92 By Karen Schlaak



No. 5673-3 Hydrologic Unit 10140101
 Map No. _____ Basin Missouri River
 Newspaper Brule Co News, Box 46, Kimball

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. _____

1. Name of Applicant Cedar Grove Colony Phone No. 337-3038 ²⁴⁰⁴

Post Office Address RR 1, Box 132, Platte, SD State 57369
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 75GPM (0.17 cfs)

3. Source of water supply well

4. Location of point of diversion SW 24-101-67 (E 1/2 SW 1/4)

County Brule

5. Counties where water will be used Brule

6. Annual period during which water is to be used 12 months Jan 1- Dec 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)

we plan on running the well through filters, then storing the water in a 100,000 gal. supply tank, then take out of supply on demand

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 Charles Mix)^{ss}

I, George G. Hofer Sec. Treas 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 Charles Meyerink Notary Public

Subscribed and sworn to before me this 11th day of June 1992

GAIL MEYERINK, Notary Public
 In and for the State of South Dakota
 My Commission Expires August 3, 1994

**SOUTH DAKOTA
WATER PERMIT No. 5673-3**

Date of first receipt of application June 15, 1992.

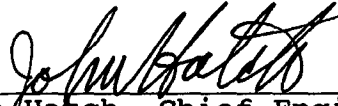
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5673-3 to Cedar Grove Colony, RR 1, Box 132, Platte SD 57369 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5673-3 appropriates 75 gallons per minute (0.17 cubic feet of water per second) from one well (Dakota Formation) 930 feet deep located in the E 1/2 SW 1/4 Section 24-T101N-R67W.
2. The water appropriated shall be used for the purpose of supplying water to the Colony and may not exceed the amount of water needed for beneficial use for domestic 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. 5673-3 is September 9, 1992.
5. The date from which applicant may claim right is June 15, 1992.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

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

NOV 23 1992

date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 8" 4½" Depth 930'
- b) Casing Type PVC Diameter 5" 2" Thickness Sch #80
- c) Screen Type PVC Diameter 2½" Thickness Sch #80
- d) Gravel Pack Thickness none Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 800'
- f) Depth to Water (ground surface to water level) 100'
- g) Distance to nearest existing domestic well:
- On applicants property 600' On property owned by others 1 mile

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 _____

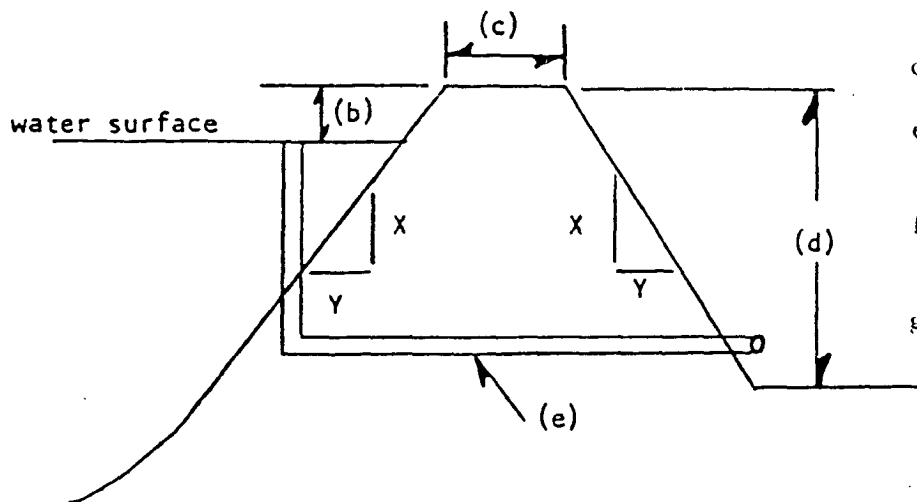
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

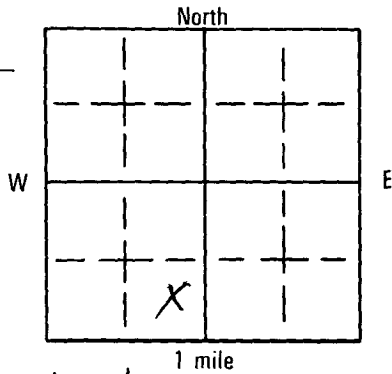
Drainage area above dam _____



George G. Hefer
 Signature of Applicant

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SW 1/4 Sec 24 Twp 101 Rg 67County BWIEPlease mark well
location with
an "X"Well Completion Date 12/13/91

PROPOSED USE:

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

Method of Drilling:

Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>250</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>355</u> FT	<u>7 7/8</u> IN
<u>480</u> LB/FT	<u>2</u> IN	<u>355</u> FT	<u>830</u> FT	<u>4 1/4</u> IN
<u>480</u> LB/FT	<u>2.5</u> IN	<u>830</u> FT	<u>930</u> FT	<u>4 1/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☐ YES ☒ NO

To what depth? _____ FEET

What is grouting material? _____

If cement, number of sacks? _____

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 2.5 IN Length 100 FEETMaterial PVCSlot Size 18 Set From 830 Feet To 930 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☒ YES ☐ NOIf so, what material? CLBACRDescribe packer(s) and location? Above 1st.Was well disinfected upon completion? ☒ YES ☐ NOExplain HTHBacteriological analysis ☒ YES ☐ NOLaboratory sent to Platte, S.D.K.

Well Owner:

Name CEEDAR GROVE ColonyAddress Platte, S.D.K.Well Log: Subsidence Depth

Formation	From	To
<u>Top Soil</u>	<u>0</u>	<u>5</u>
<u>Yellow Clay</u>	<u>5</u>	<u>20</u>
<u>Blue Clay</u>	<u>20</u>	<u>80</u>
<u>Shale</u>	<u>80</u>	<u>510</u>
<u>Greenhorn</u>	<u>510</u>	<u>530</u>
<u>Shale</u>	<u>530</u>	<u>730</u>
<u>Dakota</u>	<u>730</u>	<u>930</u>

STATIC WATER LEVEL 90 Feet

If flowing: closed in pressure _____ PSI

GPM flow 118 through 2 inch pipeControlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ BailedDescribe: Compressed Air☐ Other

Pumping Level Below Land Surface

118 ft. After 12 Hrs. pumped 50 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 94

And this report is true and accurate.

Drilling firm Chad Drilling IncSignature of License Representative: [Signature]

Signature of Well Owner: _____

Date 12/31/91

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413244

Pierre, June 16, 19 92

Cedar Grove Hutterian Brethren, RR 1 Box 132, Platte, SD 57369

RECEIVED OF

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

Fee for Application for Permit No. <u>5673-3</u> to Appropriate Water, to construct works and to put water to beneficial use	150	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	150 00

By

Chief Engineer

John H. Hald



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 15, 1992

George Waldmer
Cedar Grove Colony
Platte SD 57369

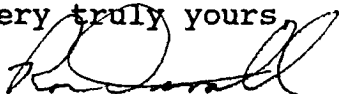
Dear Mr. Waldmer:

A well driller's report filed by Huron Drilling, Inc. shows that they completed a new well for you which produced 50 Gallons Per Minute (GPM). Based on the information in the report, you may need a water permit.

1. A water permit must be obtained for any water use except for reasonable, private domestic use. Reasonable use is defined as use of 18 GPM or less, on an average daily basis (26,000 gallons per day), with a maximum rate not exceeding 25 GPM. Water distribution systems (i.e. suburban housing; manufactured and mobile home developments; rural water systems; municipalities; etc.) may not exceed 18 GPM without a water permit. Examples of commercial use that require permits for private water supplies are: truckstops; motels; restaurants; bars; clubs; tourist attractions; commercial campgrounds and any other business operation. Examples of noncommercial use that require permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 GPM or use water outside of the school building.
2. As a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Please complete and return the enclosed application forms, with the required fee, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by February 14, 1992, or contact Don Frye (605-773-3352) if you don't believe your water use requires a permit or if you need assistance.

Very truly yours,


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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 2, 1992

Cedar Grove Colony
George Waldmer
Platte SD 57369

Dear Mr. Waldmer:

I am writing to follow-up on my January 15, 1992 letter concerning the possibility you may need to apply for a water permit. We have not received any response from you on this matter and would appreciate your earliest reply. A well driller's report filed by Huron Drilling, Inc. shows that they completed a new well for you which produced 50 Gallons Per Minute (GPM). Based on the information in the report, you may need a water permit.

1. A water permit must be obtained for any water use except for reasonable, private domestic use. Reasonable use is defined as use of 18 or less gallons of water per minute (GPM), on an average daily basis (26,000 gallons per day), with a maximum rate not exceeding 25 GPM. Households, farms and ranches that exceed reasonable domestic use must have a permit. Water distribution systems (i.e. suburban housing, manufactured and mobile home developments; rural water systems; municipalities; etc.) may not exceed 18 GPM without a water permit. Examples of commercial enterprises that require permits for private water supplies are: truckstops, motels, restaurants, tourist attractions, commercial campgrounds and any other business operation. Examples of institutions that require permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute or use water outside of the school building.
2. We have previously sent you water permit application forms and an instruction sheet. Please complete and return the application, with the required fee, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501". If you have questions, or don't believe you need a water permit, contact Don Frye, Natural Resources Analyst (605) 773-3352.

Thank you for your attention to this matter.

Very truly yours,

ERIC GRONLUND, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

REPORT ON APPLICATION NO. 5673-3
for Cedar Grove Colony
July 23, 1992

Application No. 5673-3 proposes to appropriate 75 gpm (0.17 cfs) from one well approximately 930 feet deep located in the E 1/2 SW 1/4 of section 24, T101N R67W in Brule County. The water is for domestic use by the Colony.

AQUIFER - DAKOTA FORMATION (DKOT)

The Dakota Formation consists of interbedded sandstones and shales and attains a thickness of about 350 feet in this area (Schoon, 1971). The Dakota Formation underlies 837 square miles and contains an estimated 12.6 million acre feet of recoverable water in storage in Brule County (Hedges, 1982). The aquifer is confined and under artesian conditions at this site. The Dakota Formation is areally extensive and extends in the subsurface in all directions from this site. The driller's log submitted with this application indicates the top of the Dakota Formation was encountered at a depth of 730 feet and drilling was stopped at a depth of 930 feet still in the Dakota. The completion report also indicates the well was capable of producing 50 gpm using air lift and the well had a static water level of 90 feet below land surface.

The Division of Water Rights monitors two observation wells completed into the Dakota Formation (BL-83A approximately 25 miles northwest and AU-89A approximately 16 miles northeast) of this application. Water levels for these two wells have declined about 7 feet (0.7 feet per year) and slightly over 1 foot (0.5 feet per year) respectively. Various authors and reports have documented the water level declines from the Dakota Formation and these records indicate this trend is continuing, but at a much lower rate. This makes sense because as the water levels decline unused flows would decrease thus creating less drawdown on the aquifer. Most of the drawdown of water levels in the aquifer can be attributed to the large number of uncontrolled flowing wells discharging to waste. The record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1992).

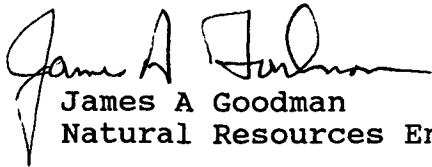
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights in this area. The nearest existing water permit from the Dakota Formation is No. 5654-3 located about 9 miles northwest of this application. Interference is not expected to be a concern. Any effects from pumping this well would be minimal. There are probably domestic wells in the area which obtain water from the Dakota Formation.

CONCLUSIONS

1. Water is available from the Dakota Formation.

2. Ground water levels in the Dakota Formation have been declining for many years. The rate of decline has steadily decreased over time.
3. The Dakota Formation is confined and under artesian conditions at this site.
4. This is a domestic use of water.
5. It is doubtful that this well will produce 75 gpm (the pump size is limited by the casing size). This permit application should specify the pumping rate from the well.
6. This well is constructed in accordance with SD Well Construction Standards for a "slim hole" well.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hedges, L.S., etal, 1982, Evaluation of 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.
- Schoon, R.A., 1971, Geology and Hydrology of the Dakota Formation in South Dakota, RI No. 104, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1992, Unpublished Observation Well Records for the Dakota Formation, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5673-3, Cedar Grove Colony

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. 5673-3, Cedar Grove Colony, c/o George Hofer, RR 1 Box 132, Platte, SD 57369.

The Chief Engineer is recommending APPROVAL of Application No. 5673-3 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) it is 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
July 29, 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.

August 4, 1992

George Hofer
Cedar Grove Colony
RR 1 Box 132
Platte, SD 57369

Dear Mr. Hofer:

Water Permit Application No. 5673-3 for domestic use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Brule Co. News printed at Kimball, SD (Ph # 778-6253). 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

August 4, 1992

Brule Co. News
Box 46
Kimball, SD 57355

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5673-3 to be published twice. Please publish the first notice on August 13, 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 Cedar Grove Colony, RR 1 Box 132, Platte, SD 57369 (Ph # 337-2404).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE

No. _____ TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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 August 13, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5673-3 to Appropriate Water

Notice is given that Cedar Grove Colony, RR 1 Box 132, Platte, SD 57369 has filed an application for a water permit to appropriate 75 gallons per minute (0.17 cubic feet of water per second) from one well (Dakota Formation) 930 feet deep located in the E 1/2 SW 1/4 Section 24-T101N-R67W. The water is for domestic use by the Colony.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5673-3 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 August 31, 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. 5673-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for September 9, 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 September 9, 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 September 9, 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 August 31, 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 Eric Gronlund by August 31, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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, 46-2A-20, 46-2A-21; 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. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brule) ss.

I, Rod Hays

certify that the attached printed Notice was
from the Brule County News

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

town of Kimball

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

Aug. 13, 1992

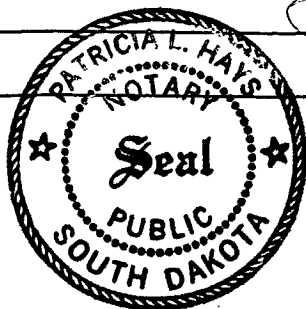
Aug. 20, 1992

NOTICE OF HEARING ON
APPLICATION NO. 5673-3 TO
APPROPRIATE WATER

Notice is given that Cedar Grove Colony,
RR 1 Box 132, Platte, SD 57369 has filed
an application for a water permit to appro-
priate 75 gallons per minute (0.17 cubic
feet of water per second) from one well
(Dakota Formation) 930 feet deep located
in the E 1/2 SW 1/4 Section 24-T101N-
R67W. The water is for domestic use by the
Colony.

Pursuant to SDCL 46-2A-2, the Chief
Engineer recommends APPROVAL of Ap-
plication No. 5673-3 because 1) unappro-
priated 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.

Cost of Printing: _____



Notary Public
My Commission
Expires Oct. 1, 1995



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 Engi-
neer's recommendation. The Chief Engi-
neer'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 August 31, 1992.
The petition may be informal, but must in-
clude a statement describing the petitioner's
interest in the application, the petitioner's
reasons for opposing or supporting the ap-
plication, and the signature and mailing ad-
dress of the petitioner or the petitioner's le-
gal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice
of hearing on Application No. 5673-3 and
2) the chief engineer's recommendation, a
meeting at the Division of Water Rights
office to hear this application is scheduled
for September 9, 1992, at 9:00 a.m. in
Room 413, Joe Foss Building, 523 E. Capi-
tol, Pierre, SD. If this application is op-
posed or the recommendation is contested,
the September 9, 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 September 9, 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 August 31, 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 proceed-
ing. 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 Eric Gronlund by August
31, 1992, at the above Water Rights Divi-
sion address to request copies of informa-
tion pertaining to this application, to as-
sure access to the hearing by the handi-
capped or to obtain an interpreter for the
hearing impaired.

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, 46-2A-20, 46-
2A-21; 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. Robert E. Roberts, Secretary,
Department of Environment and Natural Re-
sources.

(Aug. 13, Aug. 20)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 23 1992

George Hofer
Cedar Grove Colony
RR 1 Box 132
Platte, SD 57369

Dear Mr. Hofer:

Enclosed is Water Permit No. 5673-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

REPORT ON INSPECTION OF PERMIT NO. 5673-3

Other permit(s) associated with the project: None

DATE OF INSPECTION: June 12, 1995

NAME OF INSPECTION CONTACT: George Hofer, Sr.

NAME & ADDRESS OF PERMIT HOLDER: Cedar Grove Colony, RR 1 Box 132, Platte, SD 57369.

DIVERSION POINT LEGAL LOCATION: 2260 feet E and 1280 feet N from the SW corner of Section 24; T101N R67W (SE1/4 SW1/4).

WELL INFORMATION:

1) Well Drilling Firm: Huron Drilling, Inc.

3) Depth(s) 930 feet

2) No. of Wells 1

4) Well log is available Y

Casing:

1) Diameter 5, 2, & 2.5 inches

2) Length 355, 475, & 100 feet

3) Type PVC

Screen:

1) Type PVC

2) Length 100 feet

3) Static water level 90 feet

Motor:

1) Make Franklin Electric

2) Model No. Submersible

3) Horsepower rating 5 HP

Pump:

1) Make Grundfos

2) Model No. Submersible

3) Capacity 75 GPM

COMMENTS:

This water is used for domestic use only at Cedar Grove Colony.

Permit No. 5673-3
Missouri 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, **June 12, 1995**, made a thorough examination of the water use system constructed by **Cedar Grove Colony** of **RR 1 Box 132, Platte, SD 57369** holder of Permit No. **5673-3**, bearing the priority of **June 15, 1992** authorizing the diversion of **0.17** cu. ft. of water per second from **ground water** for **domestic** purposes, in **Brule** County.

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

A. Works used to divert the water:

A 7 1/2 HP Franklin Motor (submersible) with a 75 GPM Grundfos Pump.

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

Underground pipeline throughout Cedar Grove Colony.

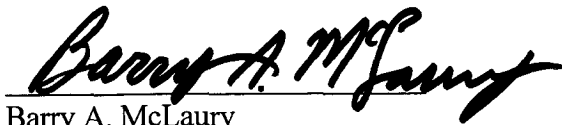
C. Works used to apply water to beneficial use:

Domestic use and livestock watering.

The system is in the following condition **good**. The point of diversion is located **2260 feet E and 1280 feet N from the SW corner of Section 24; T101N R67W (SE1/4 SW1/4)**. The works are capable of diverting and conveying to the place of use **0.17** cu. ft. of water per second and the license should be issued for **0.17** cfs.

Applicable permit qualifications have been complied with: Yes **X** No

Exceptions to compliance are: **None** Date Report Completed: **February 16, 1996**



Barry A. McLaury
Natural Resources Scientist
DENR, Water Rights Program

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5673-3

(1) Cedar Grove Colony, RR 1, Box 132, Platte SD 57369 made Application No. 5673-3, June 15, 1992 for a water permit to divert 0.17 cubic feet of water per second from groundwater (one well), Brule County, South Dakota for domestic purposes. Permit No. 5673-3, with a priority date of June 15, 1992 was approved September 9, 1992 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(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 0.17 cubic feet of water per second for beneficial use. The location of the diversion point is 2,260 feet east and 1,280 feet north from the southwest corner of Section 24-T101N-R67W (SE 1/4 SW 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 Cedar Grove Colony, RR 1, Box 132, Platte SD 57369 the holder and/or owner of Water Permit No. 5673-3 is issued a license to appropriate water, the right to use 0.17 cubic feet of water per second from groundwater (one well) with a priority date of June 15, 1992 from the location specified in (2) of this license. The water is to be used for the purpose of domestic use. This license is subject to any limitations or qualifications listed in Water Permit No. 5673-3 and subject to South Dakota State Law.



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

APR 4 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 8, 1996

5673-3

George Hofer, Sr.
Cedar Grove Colony
RR 1, Box 132
Platte, SD 57369

Dear Mr. Hofer:

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. 5673-3, 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 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 number. This will insure proper handling of the fee.

RECEIPT

414854

Division of Water Rights

South Dakota Department of Environment and Natural Resources

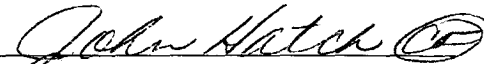
Pierre, _____ March 18, 19 96

RECEIVED OF Cedar Grove Colony, RR 1, Box 132, Platte, SD 57369

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>5673-3</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

APR 4 1996

5673-3

George Hofer, Sr.
Cedar Grove Colony
RR 1, Box 132
Platte, SD 57369

Dear Mr. Hofer:

Enclosed is Water License No. 5673-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414854 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. 5673-3, 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.

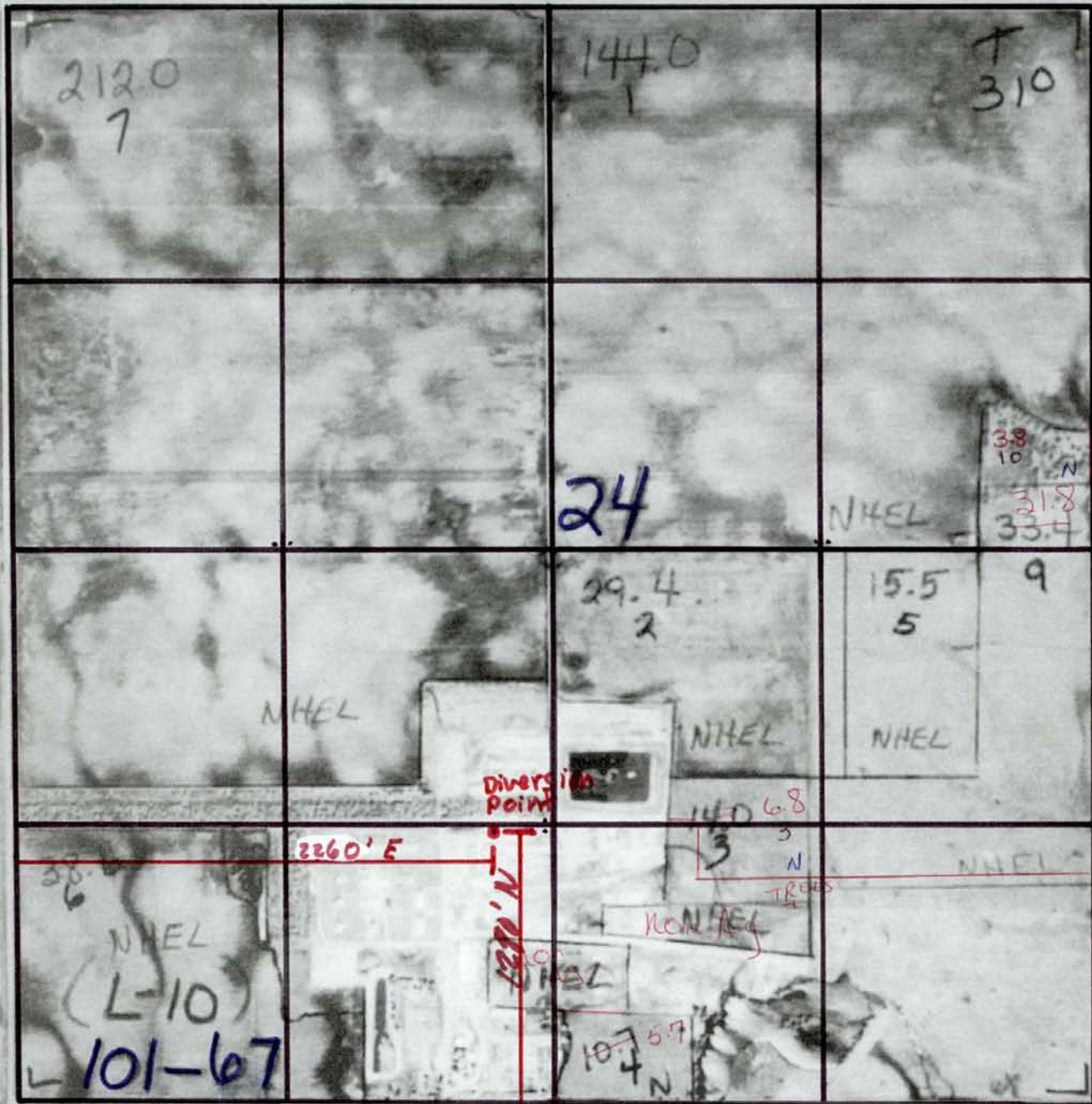
Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

NOT TO SCALE

101-61



Barry A. McLaury *Barry*
Environmental Scientist
Water Rights Program
Date *February*

Date _____

February 16, 1996

$$1'' = 754'$$

5673-3

NOT TO SCALE



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Susan Goodman, acting CEO
6-10-92

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