

Considered: _____

WATER PERMIT NO. 5691-3

Phone: 339-7075

Name of Applicant: Sioux Falls Health Dept., City of Sioux Falls

Post Office Address: 132 North Dakota Ave, Sioux Falls SD

Amount of Water Claimed: 0.09 cfs 40 gpm Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial County: Minnehaha

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received: 7-16-92 Fee: \$50.00 Remarks _____

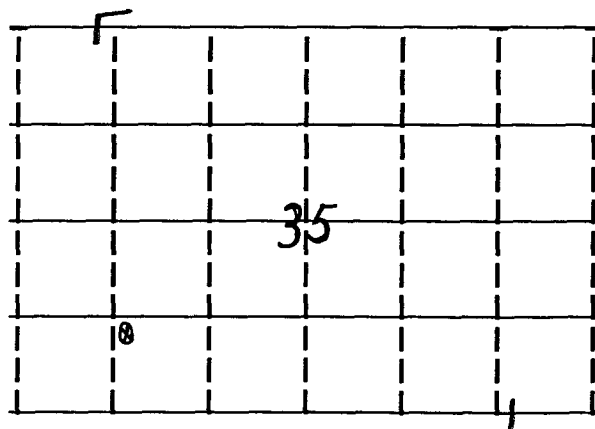
Corrected Application Received 7-22-92 Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: SW 1/4 SW 1/4 Sec 35-T101N-R51W

Land to be Irrigated: _____



Well Log: Driller: Dave Putzke Well Drilling Licensed YES X NO _____

Depth of Well: 183' REMARKS _____

Type of Map: plat PREPARED BY: Thomas O. Berkland Reviewed and the Number

Assigned on 7-22-92 By Karen Schlaak

523 E. Capitol
Pierre, SD 57501
(605) 773-3352No. 5691-3 Hydrologic Unit 10170203
Map No. _____ Basin Big Sioux River
Newspaper Argus Leader, PO Box 5034, SF

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

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

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____1. Name of Applicant SIoux FALLS HEALTH DEPT., CITY OF SIoux FALLS Phone No. 339-7075Post Office Address 132 NORTH DAKOTA AVENUE, SIoux FALLS State SD 57102
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) 40 GALLONS/MIN (0.09 cfs)3. Source of water supply WALL LAKE AQUIFER4. Location of point of diversion THE SW 1/4 OF SW 1/4 OF SECTION 35TOWNSHIP 101 N RANGE 51 WCounty MINNEHAHA5. Counties where water will be used MINNEHAHA6. Annual period during which water is to be used JANUARY 1 THRU 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)

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 _____)

Thomas M. Olson

I, City of Sioux Falls, Sanitary Landfill Dept. by: its Director 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 Thomas M. OlsonSubscribed and sworn to before me this 1 day of July 19 92Notary Public

Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 5691-3**

Date of first receipt of application July 16, 1992.

Date of return to applicant for corrections, amendments or changes July 17, 1992.

Date of receipt of corrected application July 22, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5691-3 to the Sioux Falls Health Dept., City of Sioux Falls, 132 North Dakota Avenue, Sioux Falls SD 57102 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. 5691-3 appropriates 0.09 cubic feet of water per second (40 gallons per minute) from one well (Wall Lake Aquifer) 183 feet deep located in the SW 1/4 SW 1/4 Section 35-T101N-R51W.
2. The water appropriated shall be used for the purpose of supplying water to the sanitary landfill for dust control and a compost operation and may not exceed the amount of water needed for beneficial use for commercial 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. 5691-3 is November 11, 1992.
5. The date from which applicant may claim right is July 16, 1992.
6. One-fifth of the construction is to be completed on or before May 11, 1995.
7. All construction is to be completed on or before November 11, 1997.
8. Water is to be put to beneficial use on or before November 11, 2001.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

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

MAR 17 1993
date

Supplemental Information

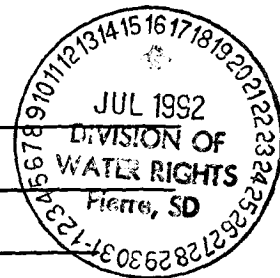
(type or print in ink)

SEE WELL COMPLETION REPORT
by DAVE PUTZKE Drilling
816 N. KIWANIS
SIOUX FALLS.

AS PER RUN ON V411 7-10-92

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property N/A On property owned by others .5 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 _____

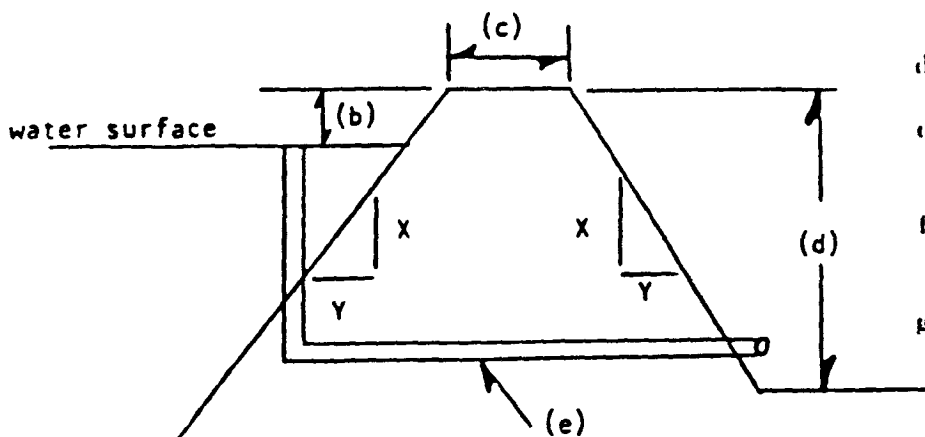
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

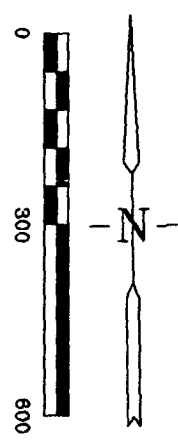
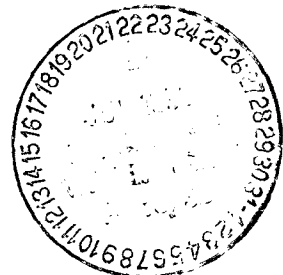
Drainage area above dam _____



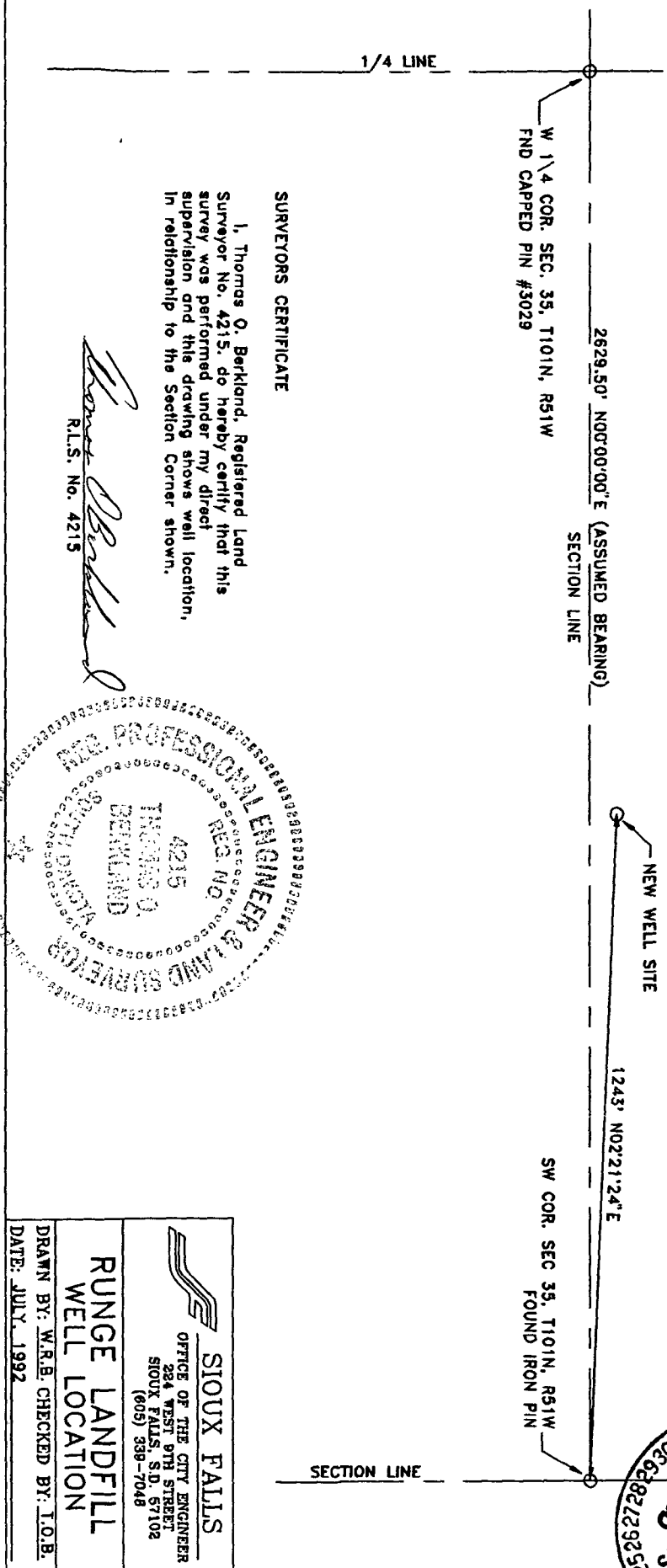
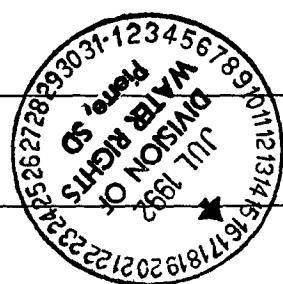
Thomas M. Olson
Signature of Applicant
For the City of Sioux Falls

10-85

Date 5/20/92



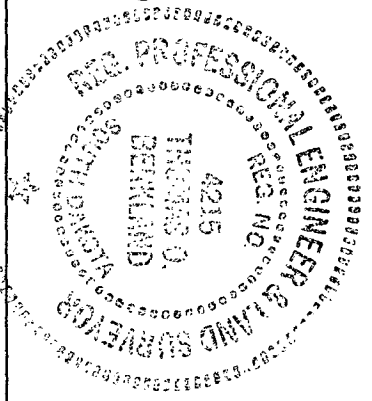
MINNEHAHA CO.
LINCOLN CO.



SURVEYORS CERTIFICATE

I, Thomas O. Berkland, Registered Land Surveyor No. 4215, do hereby certify that this survey was performed under my direct supervision and this drawing shows well location, in relationship to the Section Corner shown.

Thomas O. Berkland
R.L.S. No. 4215



	SIoux FALLS
	OFFICE OF THE CITY ENGINEER 324 WEST 9TH STREET SIoux FALLS, S.D. 57102 (605) 338-7048
RUNGE LANDFILL WELL LOCATION	
DRAWN BY: W.R.E. CHECKED BY: I.O.B.	
DATE: JULY, 1992	

5691-3

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413312

Pierre, July 16, 19 92

RECEIVED OF Sioux Falls Health Dept., 132 N Dakota Ave., Sioux Falls, SD

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

Fee for Application for Permit No. <u>5691-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 18, 1992

Thomas Olson, MPH
Sioux Falls Health Department
132 N. Dakota Avenue
Sioux Falls SD 57102

Dear Mr. Olson, MPH:

A well driller's report filed by Dave Putzke Well Drilling, Inc. shows that they completed a new well for you which produced 40 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 July 17, 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 DUVALL, 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

July 17, 1992



Sioux Falls Health Dept.
City of Sioux Falls
Thomas M Olson, Director
132 North Dakota Ave
Sioux Falls SD 57102

Dear Mr. Olson:

In regard to your water permit application received on July 16, 1992, the following information needs to be clarified in order to process your application.

Item No. 4 of the application states the well is located in the ^{SW 1/4} ~~NW 1/4~~ SW 1/4 Section 35-T101N-R51W. It appears from the map submitted with the application, that the well is located in the SW 1/4 SW 1/4 Section 35-T101N-R51W. Which location is correct? - SW 1/4 SW 1/4

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

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

REPORT ON APPLICATION NO. 5691-3
for the City of Sioux Falls Health Department
September 9, 1992

Application No. 5691-3 proposes to appropriate 0.09 cfs (40 gpm) from one well approximately 183 feet deep located in the SW 1/4 SW 1/4 of section 35, T101N R51W in Minnehaha County. The water is for commercial use at the sanitary landfill for dust control and a compost operation.

AQUIFER - WALL LAKE (WAL)

The Wall Lake aquifer is a buried sand and gravel under confined (artesian) conditions. The Wall Lake aquifer underlies 58 square miles of Minnehaha County and contains an estimated 245,040 acre feet of water in storage (Lindgren, 1992). Ground water movement is generally from north to south in Minnehaha County into Lincoln County and also locally towards Skunk Creek where the Wall Lake and Big Sioux Southern Skunk Creek aquifers are hydraulically connected (Iles, 1991).

The Division of Water Rights monitors two observation wells LN-80P and MA-80S completed into the Wall Lake aquifer and located about 4 miles north and 6 miles southeast of this application respectively. Water level records for these wells indicate 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 immediate area which obtain water from the Wall Lake aquifer. Interference is not expected to be a concern. This requested diversion rate is relatively small and any drawdown created by this diversion should not be significant.

CONCLUSIONS

1. Water is available from the Wall Lake aquifer.
2. The Wall Lake aquifer is under confined (artesian) conditions. Pumping will create drawdown, but this is not expected to adversely affect any other user.
3. This well has been constructed in accordance with SD Well Construction Standards. The driller's report indicates that the well was capable of producing 40 gpm using air to develop.

 15B

James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Iles, D.L., L.J.Frykman, 1991, Hydrogeology of the Southern Skunk Creek Management Unit of the Big Sioux Aquifer, Open File Report 63-UR, SD DENR, SDGS, Vermillion, SD, 57069.
- Lindgren, R.J., C.A. Niehus, 1992, Water Resources of Minnehaha County, South Dakota, USGS WRI 91-4101, USGS, Huron, SD, 57350.
- Water Rights, 1992, Unpublished Observation Well Records for Minnehaha County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5691-3, Sioux Falls Health Department

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. 5691-3, Sioux Falls Health Department, City of Sioux Falls, c/o Thomas Olson, 132 North Dakota Avenue, Sioux Falls, SD 57102.

The Chief Engineer is recommending APPROVAL of Application No. 5691-3 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 qualifications:

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.

for Dale H. Seltzer
JOHN HATCH, Chief Engineer
September 18, 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.

October 7, 1992

Thomas Olson
City of Sioux Falls
Sioux Falls Health Department
132 North Dakota Avenue
Sioux Falls, SD 57102

Dear Mr. Olson:

Water Permit Application No. 5691-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Argus Leader printed at Sioux Falls, SD (Ph # 331-2200). 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

October 7, 1992

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5691-3 to be published twice. Please publish the first notice on October 14, 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 Sioux Falls Health Department, City of Sioux Falls, 132 North Dakota Avenue, Sioux Falls, SD 57102 (Ph # 339-7075).

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

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

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

NOTICE OF HEARING on Application No. 5691-3 to Appropriate Water

Notice is given that Sioux Falls Health Dept., City of Sioux Falls, 132 North Dakota Avenue, Sioux Falls, SD 57102 has filed an application for a water permit to appropriate 0.09 cubic feet of water per second (40 gallons per minute) from one well (Wall Lake Aquifer) 183 feet deep located in the SW 1/4 SW 1/4 Section 35-T101N-R51W. The water is for commercial use at the sanitary landfill for dust control and a compost operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5691-3 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 November 2, 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. 5691-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for November 11, 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 November 11, 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 November 11, 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 November 2, 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 November 2, 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.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, }

SS.

COUNTY OF MINNEHAHA }

M. DEVISH

.....being duly sworn, says: That the Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota, by Sioux Falls Newspapers, Inc.; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

Wednesday, the 14 day of October, 1992,

Wednesday, the 21 day of October, 1992,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

and that \$116.10 was charged for publishing the same including a \$2.00 affidavit fee.

M. Devish

Subscribed and sworn to before me October 21, 1992

Nancy A. Bussby
Notary Public, South Dakota



State Notices

NOTICE OF HEARING
on Application No. 5691-3
to Appropriate Water

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This application is made pursuant to SDCL 46-1-1 thru 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

3487

Oct. 14, 21, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 17 1993

Thomas Olson
Sioux Falls Health Department
City of Sioux Falls
132 North Dakota Avenue
Sioux Falls, SD 57102

Dear Mr. Olson:

Enclosed is Water Permit No. 5691-3 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.

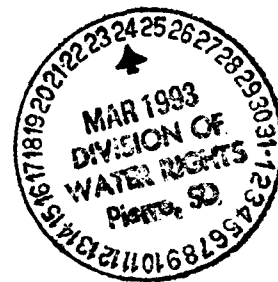
Very truly yours,

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 USE**Date MARCH 18, 1993

TO: Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: SIOUX FALLS HEALTH DEPARTMENT 132 NORTH DAKOTA AVENUE
(name) (address)
SIOUX FALLS, SD 57102 (605) 339-7075
(city) (state) (zip) (phone)

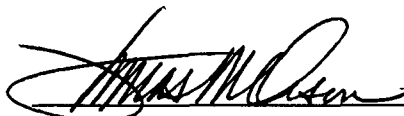
I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5691-3.

Water Permit No. 5691-3 states that the diversion system is to be constructed by NOVEMBER 11, 1997, and that the water is put to beneficial use by
(date)
NOVEMBER 11, 2001.
(date)

The diversion system was completed on MAY 12, 1992.
(date)

Applying the water to beneficial use was completed on MAY 12, 1992.
(date)

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


(signature)

REPORT ON INSPECTION OF PERMIT NO. 5691-3

Other permit(s) associated with the project: None

DATE OF INSPECTION: June 27, 1995

NAME OF INSPECTION CONTACT: Ed Verely, Landfill Superintendent.

NAME & ADDRESS OF PERMIT HOLDER: Sioux Falls Health Department, 132 North Dakota Avenue,
Sioux Falls, SD 57102

DIVERSION POINT LEGAL LOCATION: 40 feet E and 1255 feet N from the SW corner of Section 35;
T101N R51W (SW1/4 SW1/4).

WELL INFORMATION:

- | | |
|--|-----------------------------------|
| 1) Well Drilling Firm: <u>Putzke Well Drilling</u> | 3) Depth(s) <u>183</u> feet |
| 2) No. of Wells <u>1</u> | 4) Well log is available <u>Y</u> |

Casing:

- 1) Diameter 5 inches
- 2) Length 183 feet
- 3) Type PVC

Motor:

- 1) Make Baldor
- 2) Model No. 1278
- 3) Horsepower rating 1 HP

Screen:

- 1) Type PVC
- 2) Length 20 feet
- 3) Static water level 110 feet

Pump:

- 1) Make Monitos
- 2) Model No. 770093
- 3) Capacity 18 GPM

SYSTEM TYPE:

Commercial Use

They fill a water truck at the pump site to water compost piles at the landfill and for watering down access roads for dust control.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A

Permit No. 5691-3
Big Sioux 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 27, 1995**, made a thorough examination of the water use system constructed by the **Sioux Falls Health Department of 132 North Dakota Avenue, Sioux Falls, SD 57102** holder of Permit No. **5691-3**, bearing the priority of **July 16, 1992** authorizing the diversion of **0.09** cu. ft. of water per second from **ground water** for **commercial** purposes, in **Minnehaha** County.

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

A. Works used to divert the water:

A 1 HP Baldor motor with an 15 GPM pump.

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

N/A

C. Works used to apply water to beneficial use:

They fill a water truck at the pump site to water compost piles at the landfill and for watering down access roads for dust control.

The system is in the following condition **good**. The point of diversion is located **40 feet E and 1255 feet N from the SW corner of Section 35; T101N R51W (SW1/4 SW1/4)**. The works are capable of diverting and conveying to the place of use **0.03** cu. ft. of water per second which is to be used for **commercial** use and the license should be issued for **0.03** cfs.

COMMENT:

Mr. Verely wasn't sure of the pump rate but he said it takes about 2.5 to 3 hours to fill a 2200 gallon tank.

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

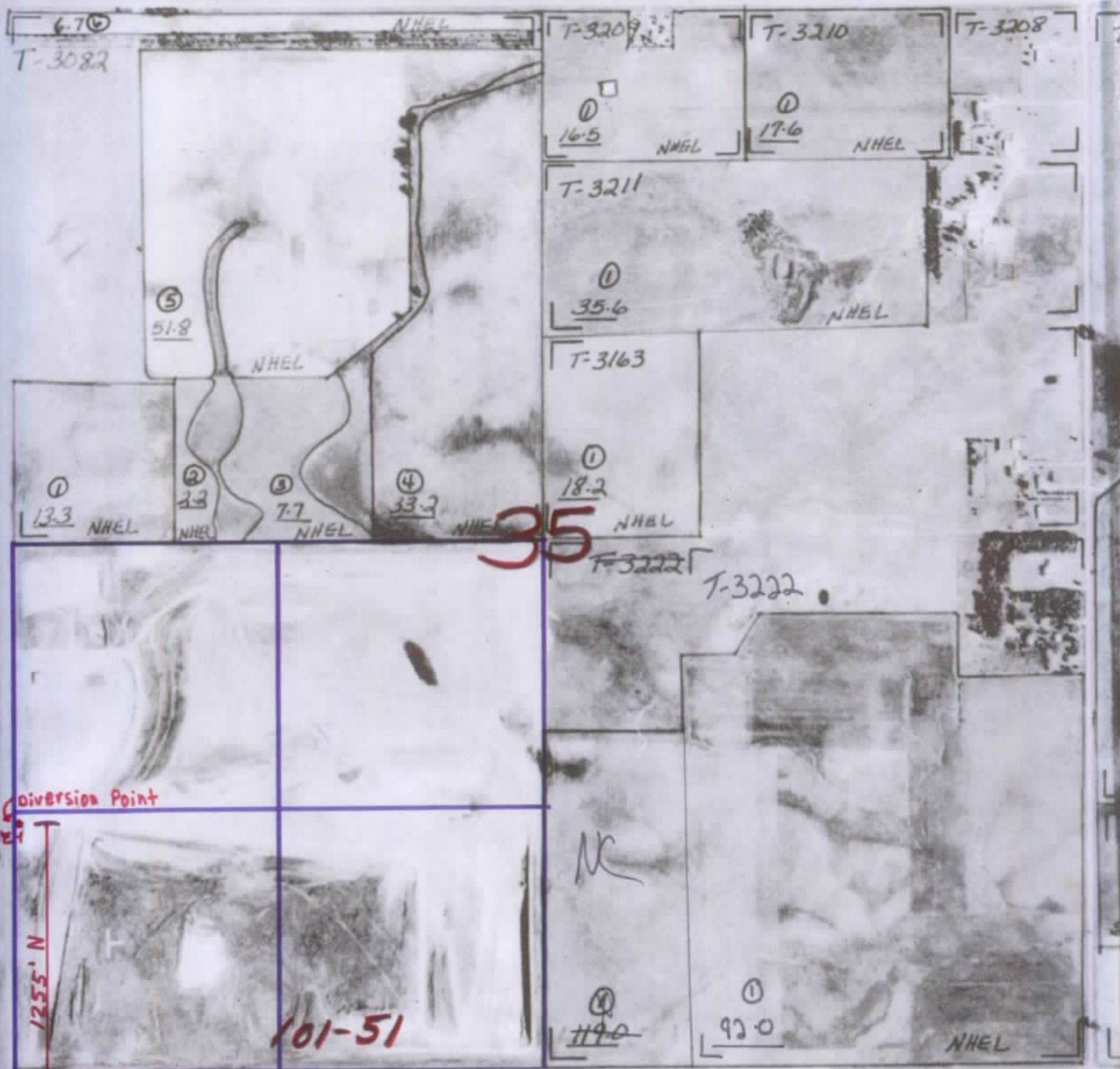
Exceptions to compliance are: **none** Date Report Completed: **February 26, 1996**



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

NOT TO SCALE

EC-32



Barry A. McLauri *Barry A. McLauri*
Environmental Scientist
Water Rights Program
Date February 26, 1996

5691-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5691-3

(1) The Sioux Falls Health Department, 132 N Dakota Ave, Sioux Falls SD 57102 made Application No. 5691-3, July 16, 1992 for a water permit to divert 0.09 cubic feet of water per second from groundwater (one well), Minnehaha County, South Dakota for commercial purposes. Permit No. 5691-3, with a priority date of July 16, 1992 was approved November 11, 1992 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 11, 1997 and for the application to beneficial use of said water on or before November 11, 2001.

The permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on March 24, 1993. The "*Notice*" stated the diversion system was completed on May 12, 1992 and the water placed to beneficial use May 12, 1992.

(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 0.03 cubic feet of water per second for beneficial use. The location of the diversion point is 40 feet east and 1,255 feet north from the southwest corner of Section 35-T101N-R51W (SW 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 at the sanitary landfill for dust control and a compost operation.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Sioux Falls Health Department, 132 N Dakota Ave, Sioux Falls SD 57102 the holder and/or owner of Water Permit No. 5691-3 is issued a license to appropriate water, the right to use 0.03 cubic feet of water per second from groundwater (one well) with a priority date of July 16, 1992 from the location specified in (2) of this license, for the purpose of commercial use. This license is subject to any limitations or qualifications listed in Water Permit No. 5691-3 and subject to South Dakota State Law.



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

OCT 17 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 8, 1996

5691-3

Ed Verely, Landfill Superintendent
Sioux Falls Health Department
132 North Dakota Avenue
Sioux Falls, SD 57102

Dear Mr. Verely:

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. 5691-3, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 26, 1996

SECOND NOTICE
Permit No. 5691-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Ed Verely, Landfill Superintendent
Sioux Falls Health Department
132 North Dakota Avenue
Sioux Falls, SD 57102

Dear Mr. Verely:

On March 8, 1996, you were notified the final inspection fee of \$50.00 is due before Water License No. 5691-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

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

According to South Dakota Water Law 46-5-30.1, you may not divert water until the License fee is paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,


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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

5691-3
Ed Verely, Landfill Supt.
Sioux Falls Health Dept.
132 North Dakota Avenue
Sioux Falls, SD 57102

4a. Article Number

P 378 081 289

4b. Service Type

- ☒ Registered ☐ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

8-27

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Patty Lerdal*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

RECEIPT

415087

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, September 10, 19 96

RECEIVED OF City of Sioux Falls, 224 West Ninth Street, Sioux Falls, SD 57102

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>5691-3</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 H. Hatcher
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 17 1996

5691-3

Ed Verely, Landfill Superintendent
Sioux Falls Health Department
132 N. Dakota Ave.
Sioux Falls, SD 57102

Dear Mr. Verely:

Enclosed is Water License No. 5691-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415087 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5691-3, 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