

Considered: _____

WATER PERMIT NO. 5712-3

Phone: 528-3931

Name of Applicant: Dean P Songstad

Post Office Address: Box 56, Buffalo Ridge SD 57115

Amount of Water Claimed: 45 gpm 0.1 cfs Total Acres: NA

Source of Water Supply: groundwater (2 wells)

Water to be used for: commercial County: Minnehaha

About 6 miles West of Sioux Falls

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 9-21-92 Fee: \$50 Remarks _____

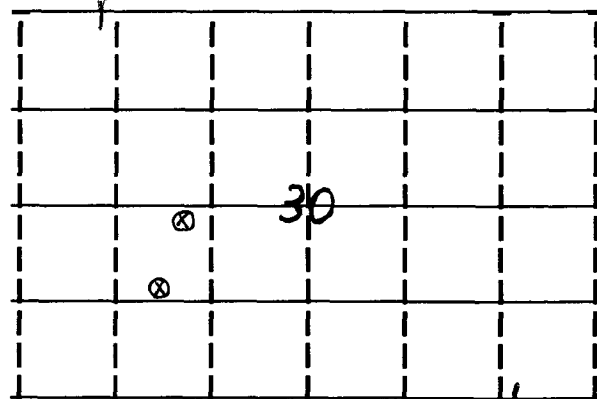
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: NW 1/4 SW 1/4 Sec 30-T102N-R50W

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 65' and 210' REMARKS well log not available

Type of Map: aerial PREPARED BY: Brian Ty?, SCS Reviewed and the Number

Assigned on 9-22-92 By Karen Schlaak

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

No. 5712-3 Hydrologic Unit 10170203
 Map No. _____ Basin Big Sioux
 Newspaper Argus Leader, PO Box 5034



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 ☐ In use for twenty years.
☐ 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 Dean P. Songstad Phone No. 528 6606-Home
528-3931-Bus.
 Post Office Address Box 56 Buffalo Ridge State S.D. 57115
(Street, RR or Box) (City) (Zip Code)
 2. Amount of water claimed (c.f.s.) 0.1 cfs (45gpm)
65' well & 210' well
 3. Source of water supply _____
 4. Location of point of diversion NW⁴ SW⁴ 30-102-50

_____ County Minnehaha
 5. Counties where water will be used Buffalo Ridge, Minnehaha
 6. Annual period during which water is to be used Annual 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)

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

STATE OF SOUTH DAKOTA)

County of Minnehaha ss

I, Dean P. Songstad 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 Dean P. SongstadSubscribed and sworn to before me this 18th day of September 1992

Shirley Walber
 Notary Public
10-16-94

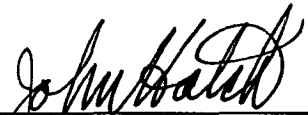
**SOUTH DAKOTA
WATER PERMIT NO. 5712-3**

Date of first receipt of application September 21, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5712-3 to Dean P. Songstad, Box 56, Buffalo Ridge SD 57115 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. 5712-3 appropriates 45 gallons per minute (0.1 cubic feet of water per second) from two wells (Sioux Quartzite) 65 feet and 210 feet deep located in the NW 1/4 SW 1/4 Section 30-T102N-R50W.
2. The water appropriated shall be used for the purpose of supplying water to Buffalo Ridge 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. 5712-3 is December 2, 1992.
5. The date from which applicant may claim right is September 21, 1992.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

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

DEC 24 1992
date

RECEIPT

413440

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ September 22, 19 92

RECEIVED OF Buffalo Ridge, Inc., PO Box 56, Buffalo Ridge, SD 57115

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

Fee for Application for Permit No. <u>5712-3</u> to Appropriate Water, to construct 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 _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 24, 1992

Dean Songstad
Buffalo Ridge
Box 56
Buffalo Ridge SD 57115

Dear Mr. Songstad:

I am contacting you regarding the possibility that you may need a permit to appropriate water for use in your facility. We have reviewed our records after receiving information from the Office of Drinking Water and can not locate a water permit for your facility.

Pursuant to South Dakota Codified Laws 46-1-15 and 46-5-10, a water permit is required to use water from any water source, except for private domestic use. Examples of commercial use that require permits for private water supplies are: truckstops, motels, restaurants, tourist attractions, bars, clubs, 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 gallons per minute or use water outside of the school building. A vested water right can be claimed for water uses beginning on or prior to February 28, 1955, for ground water or March 2, 1955, for surface water.

An existing business without a water permit has no legal right to the use of water. Water users without a water permit are not protected if their water use is interfered with by someone who has a water right. If you believe you already have a water permit or if you have a permit issued under another name, please contact us.

Enclosed are 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" by September 24, 1992. If you have questions or need assistance contact Don Frye, Natural Resources Analyst (605-773-3352).

Very truly yours,

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

REPORT ON APPLICATION NO. 5712-3
for Dean P. Songstad
October 21, 1992

Application No. 5712-3 proposes to appropriate 45 gpm (0.1 cfs) from two wells 65 and 210 feet deep located in the NW 1/4 SW 1/4 of section 30, T102N R50W in Minnehaha County. The water is for commercial use at Buffalo Ridge.

AQUIFER - SIOUX QUARTZITE (SOUX)

The Sioux Quartzite consists of locally fractured and jointed crystalline rock which is a reliable source of water for domestic and smaller municipal supplies (Lindgren, 1992). There is no estimate of water in storage for the aquifer but it does underlie all of Minnehaha County. The Sioux Quartzite is the probable source of water for both the 210 feet and 65 feet deep wells. According to the Minnehaha County study the Sioux Quartzite should be encountered about 100 feet below land at this site. This is corroborated by a domestic well log in section 30 which indicates a quartzite top at 140 feet below land surface and a permitted well for Hartford Kamp Dakota which is completed in quartzite at 70 feet (Water Rights, 1992).

REVIEW EXISTING WATER PERMITS/RIGHTS

There is one existing Water Permit No. 5064-3 which is located about 1/4 mile north of this application. This permit is for a 70 feet deep well completed into Sioux Quartzite. Interference is not expected to be a concern. This application and the existing permit have both been in use for many years with no apparent problems.

CONCLUSIONS

1. Water is available from the Sioux Quartzite.
2. The Sioux Quartzite is confined by glacial till and may be under artesian conditions. Interference is not expected to be a concern. The wells for this application and the well for Permit No. 5064-3 have been in use for many years with no reported problems.
3. There is not enough information submitted with the application to determine if these wells are completed in accordance with SD Well Construction Standards or even what these wells are completed into geologically.

4. The method of wastewater disposal utilized is two septic tanks.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

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 Domestic Well File and Water Permit Records for Minnehaha County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5712-3, Dean P. Songstad

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. 5712-3, Dean P. Songstad, Box 56, Buffalo Ridge, SD 57115.

The Chief Engineer is recommending APPROVAL of Application No. 5712-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

JOHN HATCH, Chief Engineer
October 26, 1992

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Dean Songstad - Water Permit Application No. 5712-3

ADDRESS: Box 56, Buffalo Ridge, SD 57115 COUNTY: Minnehaha

DATE: 10/22/92 TELEPHONE: _____

RE: Wastewater Disposal for Buffalo Ridge

COMMENTS:

I contact Mr. Songstad on the method of wastewater disposal utilized at Buffalo Ridge. They have two septic tanks with drain fields. One is used for the ghost town and the other for the store. He did not the exact age but I got the impression they were over 25 years old.

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 Thonlund



**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 30, 1992

Dean P. Songstad
Box 56
Buffalo Ridge, SD 57115

Dear Mr. Songstad:

Water Permit Application No. 5712-3 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
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 30, 1992

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5712-3 to be published twice. Please publish the first notice on November 5, 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 Dean P. Songstad, Box 56, Buffalo Ridge, SD 57115 (Ph # 528-3931).

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. _____

Date _____

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

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 November 5, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5712-3 to Appropriate Water

Notice is given that Dean P. Songstad, Box 56, Buffalo Ridge, SD 57115 has filed an application for a water permit to appropriate 45 gallons per minute (0.1 cubic feet of water per second) from two wells (Sioux Quartzite) 65 feet and 210 feet deep located in the NW 1/4 SW 1/4 Section 30-T102N-R50W. The water is for commercial use at Buffalo Ridge.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5712-3 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 23, 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, December 2, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. 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. The December 2, 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 23, 1992.

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 23, 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, }
COUNTY OF MINNEHAHA } SS.

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

Thursday, the 5 day of November, 19 92,

Thursday, the 12 day of November, 19 92,

_____, the _____ day of _____

_____, the _____ day of _____

_____, the _____ day of _____

_____, the _____ day of _____

_____, the _____ day of _____

and that \$111.34 was charged for publishing including a \$2.00 affidavit fee.

M. Devish

Subscribed and sworn to before me November

Nancy A. Buck
Notary Public, Sc



NOTICE OF HEARING

on Application No. 5712-3 to Appropriate Water
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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 23, 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.

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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, 46-2A-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
2017 Nov. 5, 12, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 24 1992

Dean P. Songstad
Box 56
Buffalo Ridge, SD 57115

Dear Mr. Songstad:

Enclosed is Water Permit No. 5712-3 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

Permit No. 5712-3
Big Sioux - 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 28, 1995**, made a thorough examination of the water use system constructed by **Dean P. Songstad** of **Box 56, Buffalo Ridge, SD 57115** holder of Permit No. **5712-3**, bearing the priority of **September 21, 1992** authorizing the diversion of **0.10** 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:
2 Franklin submersible motors (3/4 HP & 2 HP) with 2 Goulds pumps (5 GPM & 25 GPM).
- B. Works used to transport water to place of use:
Pipeline through the ghost town and to the store.
- C. Works used to apply water to beneficial use:
Used in bathrooms, cafeteria, etc.

The system is in the following condition **good**. The point of diversion is located **North: 1180 feet E and 2440 feet N; South: 990 feet E and 1520 feet N; both from the SW corner of Section 30; T102N R50W (NW1/4 SW1/4)**. The works are capable of diverting and conveying to the place of use **0.06** cu. ft. of water per second which is to be used for **commercial** use and the license should be issued for **0.06** cfs.

NOTE:

Most of the well information came from Dave Putzke Well Drilling. Mr. Songstad referred me to him because he was not familiar with the pump rates, etc. The wells are not connected. The North Well serves the ghost town area and the south well serves the store.

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

Exceptions to compliance are: **None** Date Report Completed: **February 21, 1996**



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

REPORT ON INSPECTION OF PERMIT NO. 5712-3

Other permit(s) associated with the project: None

DATE OF INSPECTION: June 28, 1996

NAME OF INSPECTION CONTACT: Dean P. Songstad, Owner.

NAME & ADDRESS OF PERMIT HOLDER: Dean P. Songstad, Box 56, Buffalo Ridge, SD 57115.

DIVERSION POINT LEGAL LOCATIONS: North: 1180 feet E and 2440 feet N; South: 990 feet E and 1520 feet N; both from the SW corner of Section 30; T102N R50W (NW1/4 SW1/4).

WELL INFORMATION:

- | | |
|---|--|
| 1) Well Drilling Firm: <u>Sioux Well Drilling</u> | 3) Depth(s) <u>210 (south) & 65 (north)</u> feet |
| 2) No. of Wells <u>2</u> | 4) Well logs are available <u>N</u> |

Casings:

- 1) Diameter 6 each inches
- 2) Length 100 & 45 feet
- 3) Type steel

Screens:

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

Motors:

- 1) Make Franklin Electric
- 2) Model Nos. submersibles
- 3) Horsepower ratings 3/4 & 2 HP

Pumps:

- 1) Make Goulds
- 2) Model Nos. submersibles
- 3) Capacities 5 & 25 GPM

SYSTEM TYPE:

Commercial Use

Pipeline through the ghost town and the store. Water used in bathrooms, cafeteria, etc. The wells are not connected. The north well serves the ghost town area and the south well serves the store.

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

COMMENTS:

Most of the well information came from Dave Putzke Well Drilling. Mr. Songstad referred me to him because he was not familiar with the pump rates, etc.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Note Address Correction

March 5, 1996

5712-3
~~2712-3~~

Dean P. Songstad
~~Box 56~~ 46614 Hwy. 38
Buffalo Ridge, SD 57115 -6001

Dear Mr. Songstad:

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. ~~5~~712-3, 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

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.

*Cheryl F. Frost
5-31-96*

RECEIPT

414980

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ June 4, 19 96

RECEIVED OF Buffalo Ridge, Inc., (Dean P. Songstad), 46644 Hwy. 38, Buffalo Ridge, SD 57715

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>5712-3</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

JUL 2 1996

5712-3

Dean P. Songstad
46614 Hwy. 38
Buffalo Ridge, SD 57115-6001

Dear Mr. Songstad:

Enclosed is Water License No. 5712-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414980 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. 5712-3, 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

STATE OF SOUTH DAKOTA

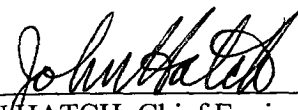
WATER LICENSE NO. 5712-3

(1) Dean P. Songstad, 46614 Hwy 38, Buffalo Ridge SD 57115-6001 made Application No. 5712-3, September 21, 1992 for a water permit to divert 0.10 cubic feet of water per second from groundwater (two wells), Minnehaha County, South Dakota for commercial use purposes. Permit No. 5712-3, with a priority date of September 21, 1992 was approved December 2, 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 0.06 cubic feet of water per second for beneficial use. The location of the diversion points are: North well - 1,180 feet east and 2,440 feet north; South well - 990 feet east and 1,520 feet north; both from the southwest corner of Section 30-T102N-R50W (NW 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 Buffalo Ridge.

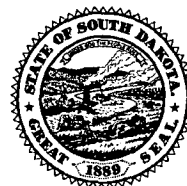
(4) Pursuant to South Dakota Water Law 46-5-30.1 Dean P. Songstad, 46614 Hwy 38, Buffalo Ridge SD 57115-6001 the holder and/or owner of Water Permit No. 5712-3 is issued a license to appropriate water, the right to use 0.06 cubic feet of water per second from groundwater (two wells) with a priority date of September 21, 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. 5712-3 and subject to South Dakota State Law.



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

JUL 2 1996

date





District Conservationist
Soil Conservation Service

Appl. No. 5712-3

5712-3

NOT TO SCALE

P-48099-4

L-188

30

T-15 1180' E North
DivisionT-17 990' E South
Division

T-170

HEL

102-50

Barry A. McLaury
Environmental Scientist
Water Rights Program
Date

February 21, 1996

5712-3