

Considered: _____

WATER PERMIT NO. 5720-3

Phone: 997-2098

Name of Applicant: Big Sioux Community Water

Post Office Address: Box 158, Egan SD 57024

Amount of Water Claimed: 1.1 cfs Total Acres: NA

Source of Water Supply: groundwater

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

About 1/2 miles east of Egan

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 9-28-92 Fee: \$350 Remarks Withdrawal

from Future Use Permit No. 3984-3

Corrected Application Received 10-19-92 Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: E 1/2
SE 1/4 NE 1/4 Sec 7-T106N-R48W
SW 1/4 SW 1/4 Sec 8 T106N-R48W

Land to be Irrigated: _____

Well Log: Driller: Geotek Licensed YES X NO _____

Depth of Well: approximately 32' REMARKS _____

Type of Map: topo PREPARED BY: Daryl England Reviewed and the Number

Assigned on 10-19-92 By Karen Schlaak



No. 5720-3 Hydrologic Unit 10170203
Map J. See attached list Basin Big Sioux River
Newspaper See attached list

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

Permit To Appropriate Water Within The State Of South Dakota

Check ☐ 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. 3984-3

1. Name of Applicant Big Sioux Community Water Phone No. 997-2098

Post Office Address Box 158 Egan State South Dakota 57024
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 1.1 cfs (478 acre-feet)

3. Source of water supply Big Sioux Aquifer - Moody County

4. Location of point of diversion SE 1/4 NE 1/4 Sect. 7, T106N, R48W

(SEE ATTACHED MAP) (Figure F)

County Moody

5. Counties where water will be used Brookings, Lake, Moody, Minnehaha

6. Annual period during which water is to be used January 1 through 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)
Submersible Turbine Pump with 12-Inch Diameter Gravel-Packed Water Well

Six-Inch Feeder Line (to be constructed)

(Refer to Figures A, B and C attached)

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

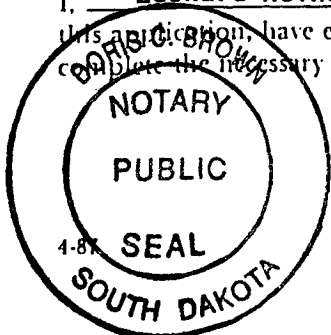
STATE OF SOUTH DAKOTA
County of Moody)⁵⁵

I, Leonard Heinemann, Manager 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 Leonard Heinemann

Subscribed and sworn to before me this 24th day of September 1992

Lorise Brown (12-9-92)
Notary Public



SOUTH DAKOTA WATER PERMIT NO. 5720-3

Date of first receipt of application September 28, 1992.

Date of return to applicant for corrections, amendments or changes October 2, 1992.

Date of receipt of corrected application October 19, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5720-3 to Big Sioux Community Water Corporation, Box 158, Egan SD 57024 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. 5720-3 is to construct and place to beneficial use 1.1 cubic feet of water per second (478 acre-feet annually) reserved for future use by Permit Nos. 3984-3 and 3984A-3. The point of diversion will be from one well (Big Sioux:Moody Aquifer) approximately 32 feet deep located in the SE 1/4 NE 1/4 Section 7-T106N-R48W.
2. The water appropriated shall be used for the purpose of supplying the Big Sioux Community Water Corporation's system located in Brookings, Lake, Moody and Minnehaha Counties and may not exceed the amount of water needed for beneficial use for rural water system purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 5720-3 is March 3, 1993.
5. The date from which applicant may claim right is June 6, 1977.
6. One-fifth of the construction is to be completed on or before September 3, 1995.
7. All construction is to be completed on or before March 3, 1998.
8. Water is to be put to beneficial use on or before March 3, 2002.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 5720-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.

(continued)

3. Approval of Permit No. 5720-3 authorizes a total diversion of 478 acre-feet of water annually.
4. The Big Sioux Community Water Company shall report to the Chief Engineer annually the amount of water withdrawn each year from the Big Sioux:Moody Aquifer.

WATER MANAGEMENT BOARD

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

MAR 26 1993
date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 20-Inch Depth 32'±
- b) Casing Type Steel Diameter 12-Inch Thickness 0.375"
- c) Screen Type 304, stainless steel Diameter 12-Inch 7/16" x 1/8" slots Length 10'
- d) Gravel Pack Thickness 4-Inch Length of Gravel Pack 13'
- e) Depth to Top of Water Bearing Material 3'
- f) Depth to Water (ground surface to water level) 10'
- g) Distance to nearest existing domestic well:
 On applicants property 800' On property owned by others 600'±

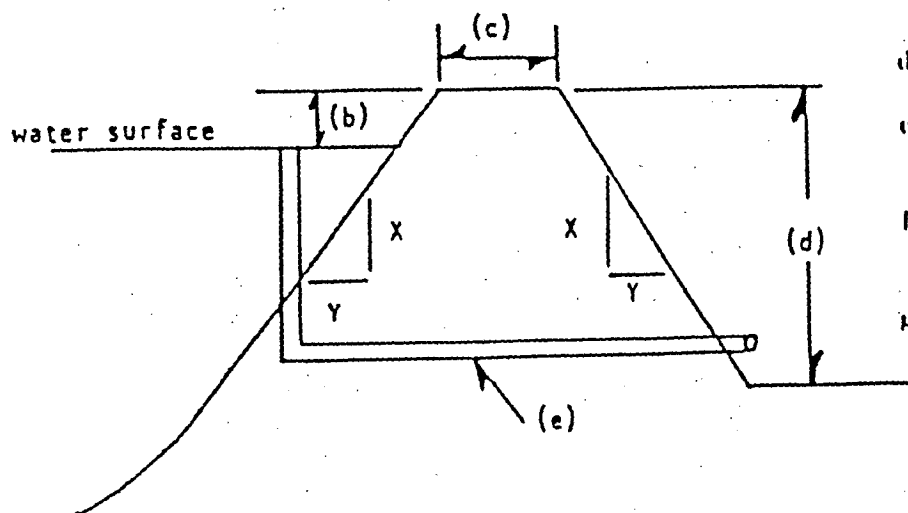
2. Dugout Information Estimates

- 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 _____

Leonard H. Hemenway
 Signature of Applicant



COPY

GEOTECHNICAL EXPLORATION
PROPOSED WATER TREATMENT PLANT EXPANSION
BIG SIOUX COMMUNITY WATER SYSTEM, INC.
EGAN, SOUTH DAKOTA

GEOTEK #92-070A



GEOTEK ENGINEERING & TESTING SERVICES, INC.



**GEOTEK ENGINEERING
& TESTING SERVICES, INC.**
501 East 52nd Street North
Sioux Falls, South Dakota 57104
605/335-5512 • FAX 335-0773

Ralph E. Lindner, P.E., and Garry Scholz, Principals

April 27, 1992

Board of Directors
Big Sioux Community Water Corporation
P O Box 248
Egan, South Dakota 57024

Attn: Mr. Leonard Heinemann, Manager

Gentlemen:

Subj: Geotechnical Exploration
Proposed Water Treatment Plant Expansion
Big Sioux Community Water System, Inc.
Egan, South Dakota
GeoTek #92-070A



This correspondence presents our report of the geotechnical exploration for the lagoon expansion for the referenced project. This report pertains to the lagoon expansion. This work was done in accordance with your approval on February 27, 1992. We are transmitting two copies of the report. An additional copy is being sent as noted below.

We thank you for the opportunity of providing our services on this project, and look forward to working with you in the future. Should you have any questions regarding the project or the report, please feel free to contact our office.

Respectfully submitted,

Ralph E. Lindner, PE
President

REL/kw

cc: -Banner Associates
Attn: Dave Odens

GEOTECHNICAL EXPLORATION
PROPOSED WATER TREATMENT PLANT EXPANSION
BIG SIOUX COMMUNITY WATER CORPORATION, INC.

BAI #7452-02
GEOTEK #92-070

INTRODUCTION

This report presents the results of the recent subsurface exploration program for the proposed lagoon expansion for the Big Sioux Community Water Corporation, Inc. near Egan, South Dakota.

The scope of work as presented in this report is limited to the following:

1. To put down nine test borings to gather data on the subsurface conditions for the proposed site.
2. To conduct field and laboratory tests to determine the engineering properties of the foundation soils.
3. To provide a written report for seepage recommendations for design and construction.



FIELD DATA

Site Conditions

The area of the proposed lagoons is located north of the existing treatment plant in a plowed field. The site is relatively level with elevations varying from 1516' to 1519'.

Boring locations and elevations were provided by Banner Associates. A site sketch is attached at the conclusion of this report showing the relative locations of the soil borings.

Subsurface Conditions

Nine test borings were put down to gather data on the subsurface conditions for the proposed site. The attached boring logs illustrate the soil conditions encountered at each of the test locations.

In borings 11A through 16A, soil conditions consisted of 1' to 2' of topsoil, underlain by silty clay and fat clay extending to depths varying from 4' to 9' below grade. At this level sand was encountered. In borings #17A through 19A, the topsoil layer was directly underlain by the sandy soils.

The consistency of the clay soils varied from rather stiff to stiff. The density of the sand varied from loose to very dense. The consistency and density of the soils are indicated by the N value (penetration resistance) as shown on the boring logs.

Groundwater

Groundwater measurements were made at the boring locations and data is recorded on the boring logs. Groundwater was observed near elevation 1508'.

Because of the sandy soils encountered, we feel that the groundwater measurements are an accurate indication of the level of the groundwater table for the time the borings were put down. It should be noted that major fluctuations of the groundwater table can be expected with these soils.

LABORATORY TESTS

Selected samples were submitted to the laboratory for testing. These tests consisted of the determination of the moisture content, dry density, Atterberg limits and gradation analysis.

The results of the laboratory tests are shown on the boring logs opposite the samples upon which the tests were made.

ENGINEERING REVIEW AND RECOMMENDATIONS

Project Information

We understand that four cells will be constructed. The cells will have a depth of 3' to 4' below grade. The system will be designed to recycle the water from the treatment process to recharge the aquifer. No minimum seepage requirements are necessary.

The above information and/or assumptions are important factors in our review and recommendations. If there are any additions or corrections to the above mentioned data, it is necessary that you contact us so that we may review our recommendations with regards to the revised plans.

Analysis

The test borings indicate that a varying soil profile will occur in each of the four cells. At the north end of the project, a relatively slow permeable soil, fat clay and silty clay, was encountered at the design depths. Conversely, on the south end of the project (borings #18 and 19) a clean and/or free draining sand and gravel was noted at the floor elevation.

We have categorized the coefficient of permeability, k , (cm/sec) for the various soil types encountered in the test borings. Actual seepage rates will vary with the thickness of each of the various stratum.

<u>Soil Classification</u>	<u>Estimated Coefficient of Permeability, k (cm/sec)</u>
Fat Clay (CH)	1×10^{-7} to 1×10^{-8}
Silty Clay (CL)	1×10^{-6} to 1×10^{-7}
Clayey Sand (SC)	1×10^{-5} to 1×10^{-6}
Silty Sand (SM)	1×10^{-4} to 1×10^{-5}
Sand (SP-SM)	1×10^{-2} to 1×10^{-3}
Sand (SP)	1×10^{-1} to 1×10^{-2}

STANDARD OF CARE

The recommendations and opinions presented in this report are in accordance with current engineering practices for this time and area. Other than this, no express or implied warranty is intended.

REMARKS

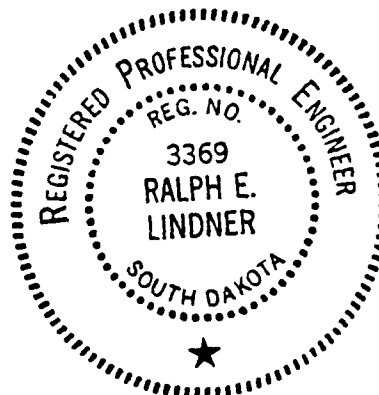
The collected soil samples will be retained in our office for a period of thirty days after the date of this report and will then be discarded unless we are notified otherwise.

We trust that this report provides you with the necessary information for the project. Should you have any comments or questions, please feel free to contact our office.

GeoTek Engineering & Testing Services, Inc.



Ralph E. Lindner, PE
President





GEOTEK ENGINEERING
& TESTING SERVICES, INC.
501 East 52nd Street North
Sioux Falls, South Dakota 57104
605/335-5512

TEST BORING LOG

JOB # <u>92-070A</u> VERTICAL SCALE <u>1" = 2'</u> BORING # <u>11A</u>										
PROJECT <u>PROPOSED TREATMENT PLANT EXPANSION, BIG SIOUX COMMUNITY WATER SYSTEM INC.</u>										
DEPTH IN FEET	DESCRIPTION OF MATERIAL ↓ Surface Elevation <u>1519.4'</u>	GEOLOGIC ORIGIN	SAMPLE DATA				LABORATORY TESTS			
			WL	N	NO	TYPE	W	D	LL PL	QU
2	SILTY CLAY, black, medium (CL-OL)	TOPSOIL		5	1	SB				
	SILTY CLAY, dark brown, rather stiff (CL)	FINE ALLUVIUM		10	2	SB				
4	FAT CLAY, trace of gravel, brown, stiff to rather stiff (CH)	MIXED ALLUVIUM		18	3	SB	17	106	51 20	
				10	4	SB	21			
9	SAND, medium to coarse grained, a little gravel, brown, moist, dense (SP)	COARSE ALLUVIUM		29	5	SB				
11	END OF BORING									

WATER LEVEL MEASUREMENTS					Date Started <u>4-2-92</u>	
DATE	TIME	WATER LEVEL	ELEVATION OF WATER	CAVE-IN DEPTH	Date Finished <u>4-2-92</u> @ <u>3:00</u>	
4-2	11:30	none	none	--	Method of Drilling <u>6" Flite Auger: 0-9½'</u>	
4-2	3:00	none	none	--	Crew Chief <u>McKee</u>	



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TEST BORING LOG

JOB # 92-070A VERTICAL SCALE 1" = 2' BORING # 12A
PROJECT PROPOSED TREATMENT PLANT EXPANSION, BIG SIOUX COMMUNITY WATER SYSTEM, INC.

DEPTH IN FEET	DESCRIPTION OF MATERIAL ↓ Surface Elevation <u>1519.4'</u>	GEOLOGIC ORIGIN	SAMPLE DATA				LABORATORY TESTS			
			WL	N	NO	TYPE	W	D	LL PL	QU
2	SILTY CLAY, black, medium (CL-OL)	TOPSOIL		6	1	SB				
	FAT CLAY, trace of gravel, brown (CH)	MIXED ALLUVIUM								
5 1/2	CLAYEY SAND, fine and medium grained, brown, moist, dense (SC)			19	2 3	SB SB	20	102		
10	SAND, medium to coarse grained, some gravel, brown, very dense, waterbearing (SP)	COARSE ALLUVIUM	▼	50	4 5	SB SB				
11	END OF BORING									

WATER LEVEL MEASUREMENTS					Date Started <u>4-2-92</u>
DATE	TIME	WATER LEVEL	ELEVATION OF WATER	CAVE-IN DEPTH	Date Finished <u>4-2-92</u> @ <u>3:00</u>
4-2	12:00	none	none	--	Method of Drilling <u>6" Flite Auger: 0-9 1/2'</u>
4-2	3:00	none	none	--	
					Crew Chief <u>McKee</u>



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Sioux Falls, South Dakota 57104
605/335-5512

TEST BORING LOG

JOB # 92-070A VERTICAL SCALE 1" = 2' BORING # 13 A
PROJECT PROPOSED TREATMENT PLANT EXPANSION, BIG SIOUX COMMUNITY WATER SYSTEM INC.

DEPTH IN FEET	DESCRIPTION OF MATERIAL ↓ Surface Elevation <u>1518.1'</u>	GEOLOGIC ORIGIN	SAMPLE DATA				LABORATORY TESTS																
			WL	N	NO	TYPE	W	D	LL PL	QU													
2	SILTY CLAY, black, rather stiff (CL-OL)	TOPSOIL		9	1	SB																	
4	SILTY CLAY, grayish brown, rather stiff (CL)	FINE ALLUVIUM		15	2	SB	24	95	39 18														
6	FAT CLAY, grayish brown, rather stiff (CH)			14	3	SB	22																
7 1/2	SAND, fine to medium grained, brown, moist (SP-SM)	COARSE ALLUVIUM			4 5	SB SB				*													
9	SAND, a little gravel, medium to coarse grained, brown, waterbearing, dense (SP)	COARSE ALLUVIUM	▼	37	6	SB																	
11	END OF BORING * Gradation Analysis <table border="1"><thead><tr><th>Sieve Size</th><th>Percent Passing</th></tr></thead><tbody><tr><td>1/2"</td><td>100%</td></tr><tr><td>#4</td><td>98</td></tr><tr><td>#10</td><td>93</td></tr><tr><td>#40</td><td>73</td></tr><tr><td>#80</td><td>26</td></tr><tr><td>#200</td><td>12</td></tr></tbody></table>	Sieve Size	Percent Passing	1/2"	100%	#4	98	#10	93	#40	73	#80	26	#200	12								
Sieve Size	Percent Passing																						
1/2"	100%																						
#4	98																						
#10	93																						
#40	73																						
#80	26																						
#200	12																						

WATER LEVEL MEASUREMENTS					Date Started <u>4-2-92</u>
DATE	TIME	WATER LEVEL	ELEVATION OF WATER	CAVE-IN DEPTH	Date Finished <u>4-2-92</u> @ <u>3:00</u>
4-2-92	10:00	none	none	--	Method of Drilling <u>6" Flite Auger: 0-9 1/2'</u>
4-2-92	3:00	none	none	--	Crew Chief <u>McKee</u>



JOB # 92-070A VERTICAL SCALE 1" = 2' BORING # 14A
PROJECT PROPOSED TREATMENT PLANT EXPANSION, BIG SIOUX COMMUNITY WATER SYSTEM INC.

Form 4352 • Rev. 8-90

TEST BORING LOG

JOB # 92-070A VERTICAL SCALE 1" = 2' BORING # 15 A
PROJECT PROPOSED TREATMENT PLANT EXPANSION, BIG SIOUX COMMUNITY WATER SYSTEM INC.,

[illegible]

WATER LEVEL MEASUREMENTS				
DATE	TIME	WATER LEVEL	ELEVATION OF WATER	CAVE-IN DEPTH
4-2	11:00	none	none	--
4-2	3:00	9.3'	1507.9'	9½'

Date Started	4-2-92
Date Finished	4-2-92 @ 11:00
Method of Drilling	6" Flite Auger: 0-9½'
Crew Chief	McKee



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TEST BORING LOG

JOB # 92-070A VERTICAL SCALE 1" = 2' BORING # 16A
PROJECT PROPOSED TREATMENT PLANT EXPANSION, BIG SIOUX COMMUNITY WATER SYSTEM, INC.

DEPTH IN FEET	DESCRIPTION OF MATERIAL ↓ Surface Elevation 1517.8'	GEOLOGIC ORIGIN	SAMPLE DATA				LABORATORY TESTS			
			WL	N	NO	TYPE	W	D	LL PL	QU
2 <										



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TEST BORING LOG

JOB # <u>92-070A</u>		VERTICAL SCALE <u>1" = 2'</u>		BORING # <u>16A Cont.</u>						
PROJECT <u>PROPOSED TREATMENT PLANT EXPANSION, BIG SIOUX COMMUNITY WATER SYSTEM, INC.</u>										
DEPTH IN FEET	DESCRIPTION OF MATERIAL	GEOLOGIC ORIGIN	SAMPLE DATA				LABORATORY TESTS			
			WL	N	NO	TYPE	W	D	LL PL	QU
15	Continued from previous page	COARSE ALLUVIUM								
					7	AUGER				
					8	AUGER				
24 1/2	END OF BORING									

WATER LEVEL MEASUREMENTS					Date Started <u>4-2-92</u>	
DATE	TIME	WATER LEVEL	ELEVATION OF WATER	CAVE-IN DEPTH	Date Finished <u>4-2-92</u>	@ <u>3:00</u>
4-2	1:00	9.5'	1508.3'	9.5'	Method of Drilling <u>6" Flite Auger: 0-24 1/2'</u>	
4-2	3:00	9.5'	1508.3'	9.5'	Crew Chief <u>McKee</u>	

TEST BORING LOG

JOB #		92-070A		VERTICAL SCALE		1" = 2'		BORING #		17 A	
PROJECT PROPOSED TREATMENT PLANT EXPANSION, BIG SIOUX COMMUNITY WATER SYSTEM INC.,											
DEPTH IN FEET	DESCRIPTION OF MATERIAL		GEOLOGIC ORIGIN	SAMPLE DATA				LABORATORY TESTS			
				WL	N	NO	TYPE	W	D	$\frac{LL}{PL}$	QU
2	↓ Surface Elevation 1517.6'		TOPSOIL	-	11	1	SB				
	SILTY CLAY, black, rather stiff (CL-OL)										
	SILTY SAND, fine grained, brown moist, medium dense (SM)		MIXED ALLUVIUM	-							
9				-	8	2	SB				
11	SAND, medium to coarse grained, a little gravel, brown, water-bearing, dense (SP)		COARSE ALLUVIUM	▼							
	END OF BORING			-	29	3	SB				

WATER LEVEL MEASUREMENTS				
DATE	TIME	WATER LEVEL	ELEVATION OF WATER	CAVE-IN DEPTH
4-2	1:30	none	none	--

Date Started	4-2-92
Date Finished	4-2-92 @ 1:30
Method of Drilling	6" Flite Auger: 0-9½'
Crew Chief	McKee



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& TESTING SERVICES, INC.
501 East 52nd Street North
Sioux Falls, South Dakota 57104
605/335-5512

TEST BORING LOG

JOB # 92-070 VERTICAL SCALE 1" = 2' BORING # 18 A
PROJECT PROPOSED TREATMENT PLANT EXPANSION, BIG SIOUX COMMUNITY WATER SYSTEM INC.

DEPTH IN FEET	DESCRIPTION OF MATERIAL ↓ Surface Elevation <u>1515.9'</u>	GEOLOGIC ORIGIN	SAMPLE DATA				LABORATORY TESTS			
			WL	N	NO	TYPE	W	D	LL PL	QU
1	SILTY CLAY, black (CL)	TOPSOIL			1	SB				
	SAND, medium to coarse grained, some gravel, brown, moist to 8' then waterbearing, dense to medium dense (SP)	COARSE ALLUVIUM		14	2	SB				
				16	3	SB				*
				23	4	SB				
				6	5	SB				
				9	6	SB				
11	END OF BORING									
	* Gradation Analysis									
	<u>Sieve Size</u> <u>Percent Passing</u>									
	1/2" 100%									
	#4 72									
	#10 50									
	#40 25									
	#80 11									
	#200 4.9									

WATER LEVEL MEASUREMENTS					Date Started <u>4-2-92</u>
DATE	TIME	WATER LEVEL	ELEVATION OF WATER	CAVE-IN DEPTH	Date Finished <u>4-2-92</u> @ <u>3:00</u>
4-2	2:30	8.2'	1507.7'	8.2'	Method of Drilling <u>6" Flite Auger: 0-9½'</u>
4-2	3:00	8.2'	1507.7'	8.2'	Crew Chief <u>McKee</u>

TEST BORING LOG

JOB # <u>92-070A</u> VERTICAL SCALE <u>1" = 2'</u> BORING # <u>19A</u> PROJECT <u>PROPOSED TREATMENT PLANT EXPANSION, BIG SIOUX COMMUNITY WATER SYSTEM INC.,</u>										
DEPTH IN FEET	DESCRIPTION OF MATERIAL ↓ Surface Elevation <u>1517.0'</u>	GEOLOGIC ORIGIN	SAMPLE DATA				LABORATORY TESTS			
			WL	N	NO	TYPE	W	D	LL PL	QU
1	SILTY CLAY, black (CL-OL)	TOPSOIL								
	SAND, medium to coarse grained, some gravel, brown, moist to 9' then waterbearing, medium dense to very dense (SP)	COARSE ALLUVIUM		19	1 2	SB SB				
				47	3	SB				
11										
				23	4	SB				
	END OF BORING									

WATER LEVEL MEASUREMENTS				
DATE	TIME	WATER LEVEL	ELEVATION OF WATER	CAVE-IN DEPTH
4-2	2:00	9'	1508.0'	--
4-2	3:00	8.2'	1509.2'	8.3'

Date Started 4-2-92

Date Finished 4-2-92 @ 3:00

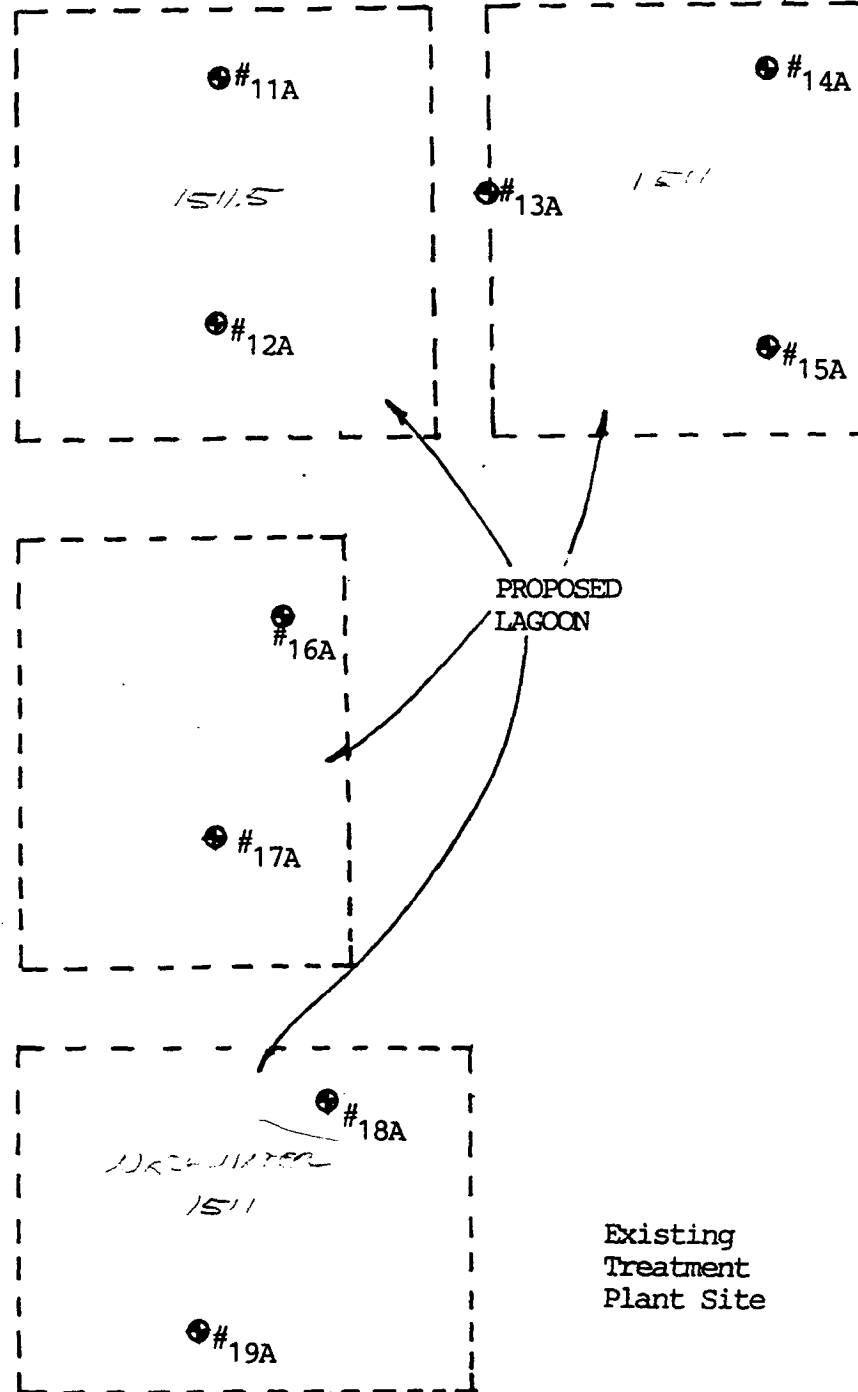
Method of Drilling 6" Flite Auger: 0-9½'

Crew Chief McKee

BORING LOCATIONS
PROPOSED WATER TREATMENT PLANT EXPANSION
BIG SIOUX COMMUNITY WATER SYSTEM, INC.
EGAN, SOUTH DAKOTA
GEOTEK #92-070A



Not to Scale



GENERAL NOTES

DESCRIPTIVE TERMINOLOGY			RELATIVE PROPORTIONS AND SIZES	
DENSITY TERM	"N" VALUE	CONSISTENCY TERM	Boulder	Over 12"
			Cobble	3" - 12"
Very Loose	0-4	Soft	Gravel	
Loose	5-8	Medium	Coarse	¾" - 3"
Medium Dense	9-15	Rather Stiff	Fine	# 4 - ¾"
Dense	16-30	Stiff	Sand	
Very Dense	Over 30	Very Stiff	Coarse	#4 - #10
			Medium	#10 - #40
			Fine	#40 - #200
			Silt & Clay	-#200, Based on Plasticity
Lamination	Up to ½" thick stratum		Term	Range
Layer	½" to 6" thick stratum			
Lens	½" to 6" discontinuous stratum, pocket		Trace	0- 5%
Varved	Alternating lamination of clay, silt, and/or fine grained sand, or colors thereof		A Little	5-15%
Dry	Powdery, no noticeable water		Some	15-30%
Moist	Below saturation		With	30-50%
Wet	Saturated, above liquid limit			
Waterbearing	Pervious soil below water			

BORING AND SAMPLING SYMBOLS

SYMBOL	DEFINITION
—HSA	3¼" or 6¼" I.D. Hollow Stem Auger
—FA	4" or 6" Flight Auger
—HA	2", 4" or 6" Hand Auger
—DC	4" or 6" Drive Casing
PD	Pipe Drill or Clean Out Tube
CS	Continuous Split Barrel Sampling
DM	Drilling Mud
JW	Jetting Water
SB	2" O.D. Split Barrel Sample
TW	3" Thin Wall Tube Sample
LS	2½" O.D. SB Liner Sample
W	Wash Sample
B	Bag Sample
NSR	No Sample Retrieved, Classification based on action of drilling equipment and/or material noted in drilling fluid or on sampling bit.
NMR	No Water Level Measurement Recorded, Primarily due to presence of drilling or coring fluid.
WL	Water Level
N	Standard Penetration Value
▼	Water Level Symbol

Water level data is recorded at the bottom of the log sheet. Water levels are measured in the borings at the time and under the conditions indicated. Depending on soil types and length of time between measurements, the ground water measurement may or may not be a true indication of the ground water level for the time the boring was put down.

LABORATORY TEST SYMBOLS

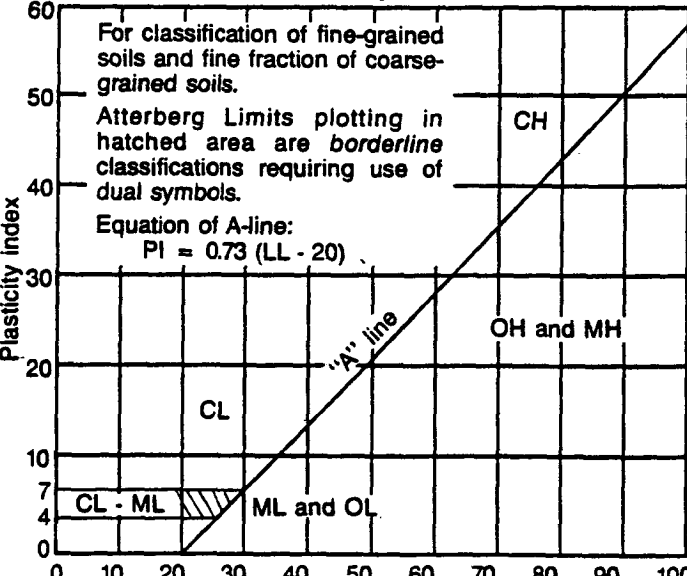
SYMBOL	DEFINITION
W	Moisture Content-Percent of Dry Weight-ASTM: D2216
D	Dry Density-Pound Per Cubic Foot
LL	Liquid Limit and Plastic Limit—
PL	ASTM:D4318
QU	Unconfined Compressive Strength—Pounds Per Square Foot-ASTM: D2166



CLASSIFICATION OF SOILS FOR ENGINEERING PURPOSES

ASTM Designation: D 2487 — 69 AND D 2488 —69

(Unified Soil Classification System)

Major divisions			Group symbols	Typical Names	Classification Criteria			
Coarse-grained soils More than 50% retained on No. 200 sieve*	Gravels 50% or more of coarse fraction retained on No. 4 sieve	Clean gravels	GW	Well-graded gravels and gravel-sand mixtures, little or no fines	Classification on basis of percentage of fines Less than 5% pass No. 200 sieve GW, GP, SW, SP More than 12% pass No. 200 sieve GM, GC, SM, SC 5 to 12% pass No. 200 sieve <i>Borderline</i> classifications requiring use of dual symbols	$C_u = \frac{D_{60}}{D_{10}}$ greater than 4; $C_z = \frac{(D_{30})^2}{D_{10} \times D_{60}}$ between 1 and 3		
			GP	Poorly graded gravels and gravel-sand mixtures, little or no fines		Not meeting both criteria for GW		
		Gravels with fines	GM	Silty gravels, gravel-sand-silt mixtures		Atterberg limits below "A" line or P.I. less than 4	Atterberg limits plotting in hatched area are <i>borderline</i> classifications requiring use of dual symbols	
			GC	Clayey gravels, gravel-sand-clay mixtures		Atterberg limits above "A" line with P.I. greater than 7		
	Sands More than 50% of coarse fraction passes No. 4 sieve	Clean sands	SW	Well-graded sands and gravelly sands, little or no fines		$C_u = \frac{D_{60}}{D_{10}}$ greater than 6; $C_z = \frac{(D_{30})^2}{D_{10} \times D_{60}}$ between 1 and 3		
			SP	Poorly graded sands and gravelly sands, little or no fines		Not meeting both criteria for SW		
		Sands with fines	SM	Silty sands, sand-silt mixtures		Atterberg limits below "A" line or P.I. less than 4	Atterberg limits plotting in hatched area are <i>borderline</i> classifications requiring use of dual symbols	
			SC	Clayey sands, sand-clay mixtures		Atterberg limits above "A" line with P.I. greater than 7		
	Fine-grained soils 50% or more passes No. 200 sieve*	Sils and clays Liquid limit 50% or less	ML	Inorganic silts, very fine sands, rock flour, silty or clayey fine sands		Plasticity Chart For classification of fine-grained soils and fine fraction of coarse-grained soils. Atterberg Limits plotting in hatched area are <i>borderline</i> classifications requiring use of dual symbols. Equation of A-line: $PI = 0.73 (LL - 20)$ 		
			CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays				
OL			Organic silts and organic silty clays of low plasticity					
Sils and clays Liquid limit greater than 50%		MH	Inorganic silts, micaceous or diatomaceous fine sands or silts, elastic silts					
		CH	Inorganic clays of high plasticity, fat clays					
		OH	Organic clays of medium to high plasticity					
Highly organic soils		Pt	Peat, muck and other highly organic soils					

* Based on the material passing the 3 in. (76 mm) sieve.

* Based on the material passing the 3 in. (76 mm) sieve.

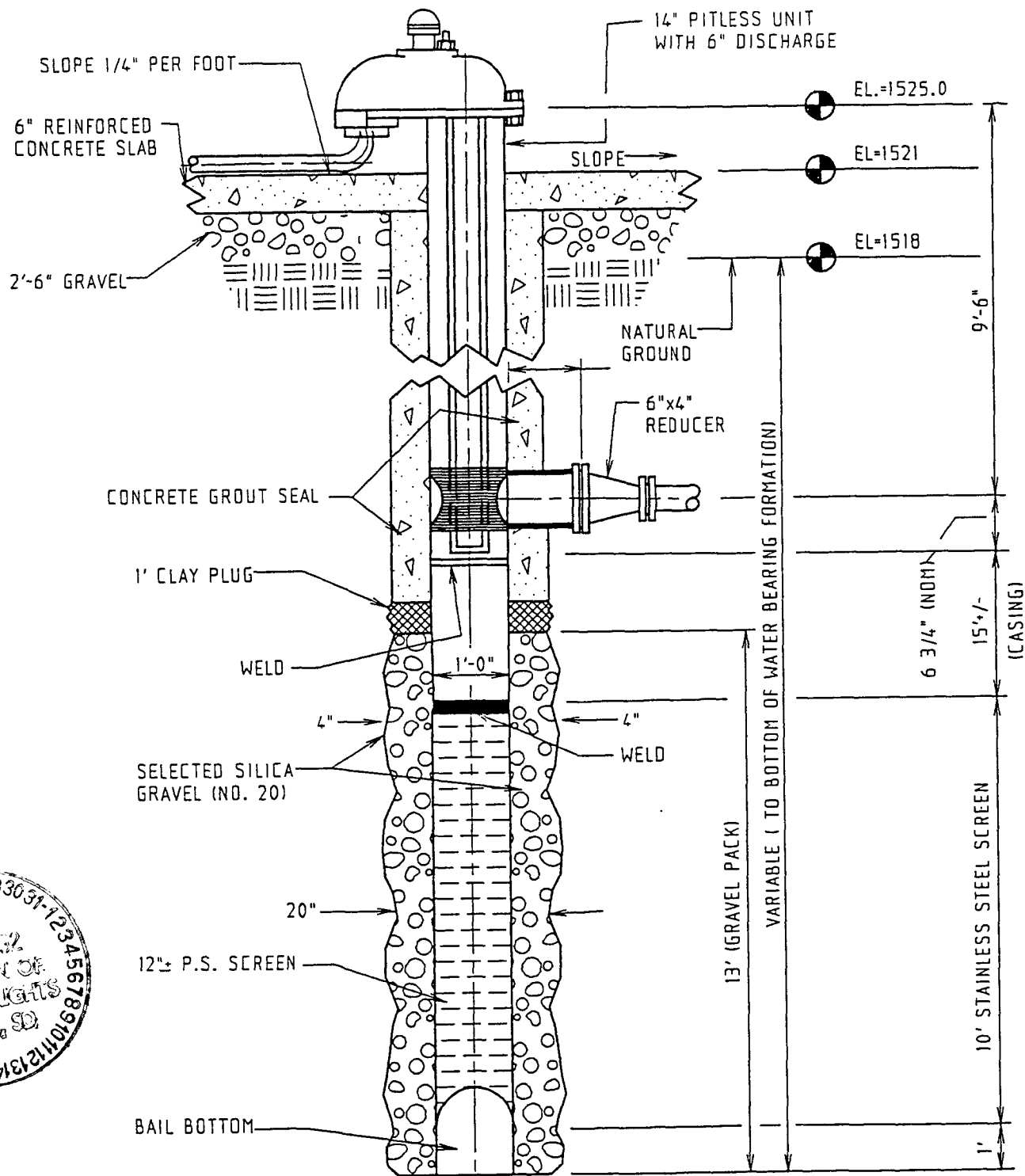
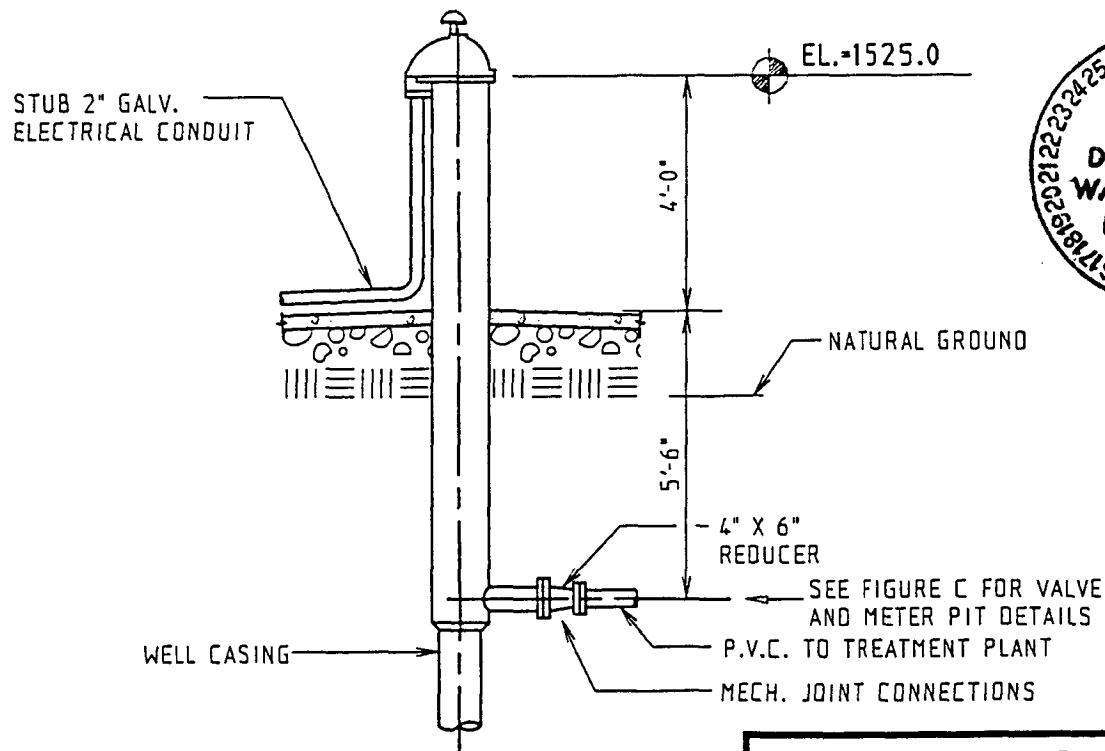
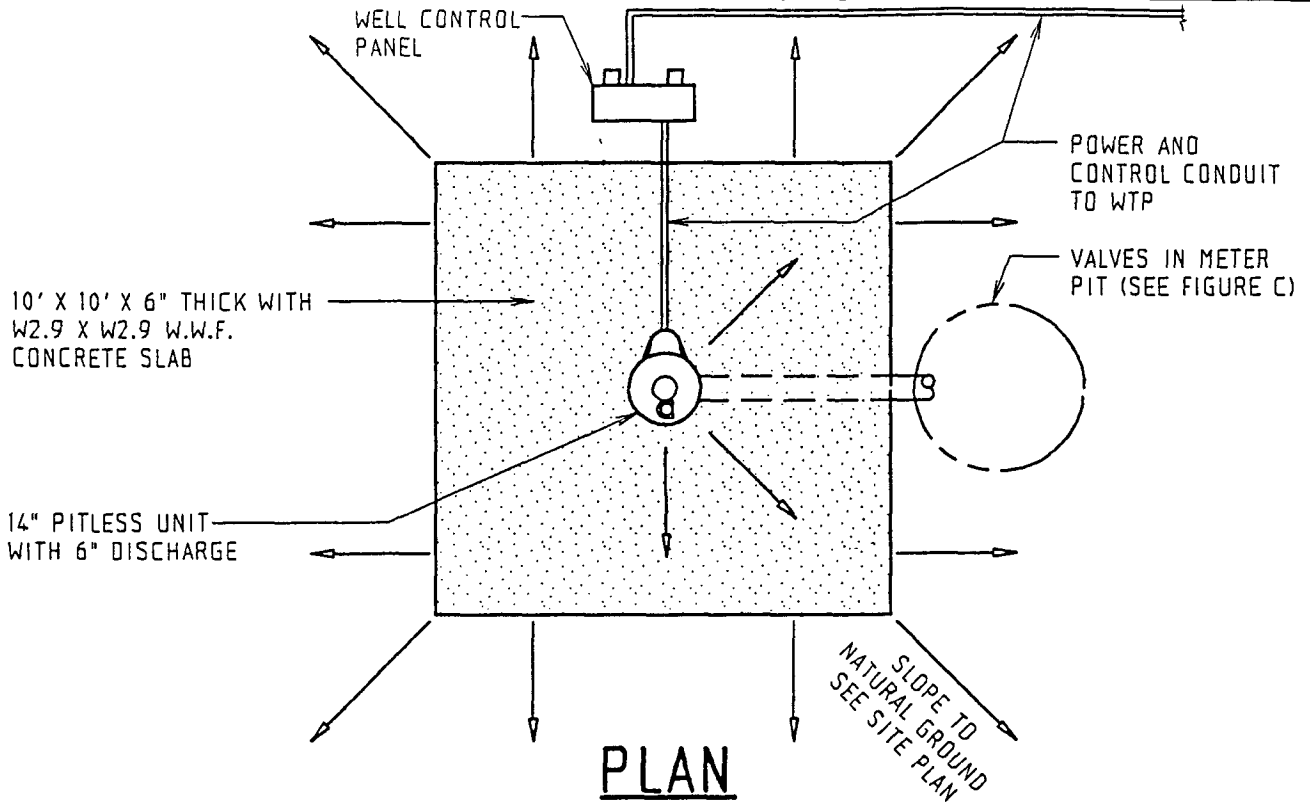


FIGURE A

1. SET PUMP INLET AT 2' FROM TOP OF SCREEN.
2. LOWER PROBE CONTROLLER SET AT 2' UP FROM PUMP INLET.
3. UPPER PROBE CONTROLLER SET 2' UP FROM LOWER PROBE.



ELEVATION



Water Treatment Plant Addition
Big Sioux Community Water
Water Supply Well No. 5

WELL SITE-PLAN & ELEVATION

Figure B

WELL CONTROL
PANEL

PITLESS ADAPTER

NEW 14" RAW WATER LINE PVC

14" X 14" X 6"
TEE THIS
CONTRACT

4" GATE VALVE, AND
0-50 PSIG PRESSURE
GAUGE IN 4'-0" DIA
METER PIT

10' X 10' X 6"
CONCRETE SLAB

PLAN

EL. = 1525.0



DESCRIPTION

- 1 4" DIP-MJ X FL
- 2 4' DIA. METER PIT
- 3 4' DIA. PRECAST METER PIT COVER
- 4 0-50 PSIG PRESSURE GAUGE
- 5 4" GATE VALVE, FL X FL
- 6 4" DRESSER COUPLING
- 7 4" DIP, FL X PE
- 8 4" CL160 PVC WATER MAIN
- 9 24" MH COVER AND RING
- 10 AIR RELIEF
- 11 1" FLUSHING CONN. & CORP. STOP
- 12 14" X 14" X 4" C.I. TEE ON EXISTING WATER LINE
- 13 6" CLASS 160 PVC WATER LINE
- 14 4" X 6" REDUCER

PITLESS
ADAPTER

ELEVATION

Water Treatment Plant Addition
Big Sioux Community Water
Water Supply Well No. 5
VALVES, GAUGES, & METER PIT

FIGURE C

RECEIPT

413471

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, October 19 _____, 19 92

RECEIVED OF Big Sioux Community Water, Inc., PO Box 158, Egan, SD 57024

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 _____	350	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 <u>\$275.⁰⁰ for Permit No. 5720-3</u>		
<u>50.⁰⁰ for Permit No. 3984H-3</u>		
<u>25.⁰⁰ refund to applicant</u>		
(Any Other Work Provided by Law)	Total	350 00

By

Chief Engineer

John Hatch

CONSULTING ENGINEERS & ARCHITECTS

BANNER ASSOCIATES, INC.
409 22nd Avenue South • P.O. Box 298
Brookings, South Dakota 57006-0298
(605) 692-6342
FAX: (605) 692-5714

September 25, 1992



Division of Water Rights
Department of Environment and Natural Resources
Foss Building
523 East Capitol
Pierre, SD 57501

Attn: John Hatch, Director

RE: Additional Well for Big Sioux
Community Water, Egan, SD
BAI No. 7452-02

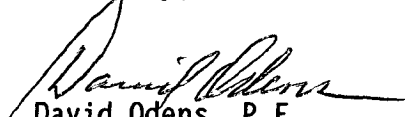
Dear Mr. Hatch:

Enclosed please find two copies of a completed "Application for Permit to Appropriate Water Within The State of South Dakota." The application is being submitted on behalf of the Big Sioux Community Water System at Egan, South Dakota. The application is for the construction of an additional well for the Big Sioux Community Water System at the treatment plant site east of Egan, South Dakota.

The Big Sioux Community Water System is currently advertising for bids for construction of a water treatment plant at the Egan site. The construction of the treatment plant will require some dewatering wells. It is the intent of the contract documents to construct one of these wells as a production well which could continue to be used as a water supply well. The existing wells will continue to operate with the existing pumps however the change in head conditions will reduce their capacity, making it necessary to either add a well or change all existing pumps to maintain the present pumping capacity. The Big Sioux Community Water System has elected to construct an additional well and divert water from their present future use permit. The annual volume of water withdrawn from the aquifer is not expected to increase significantly due to the additional well.

If you have any further questions, please call met at 692-6342 or Leonard Heinemann at 997-2098.

Sincerely,


David Odens, P.E.

DO/hh
Enclosures
cc: Leonard Heinemann, BSCW



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 2, 1992

Banner Associates, Inc.
David Odens
PO Box 298
Brookings SD 57006-0298

Dear Mr. Odens:

In regard to the water permit application received on September 28, 1992, for Big Sioux Community Water, the following information needs to be submitted in order to process the application.

Please submit any well logs or driller's test logs signed by a South Dakota licensed well driller available for this area.

Future Use Permit No. 3984-3 was approved for a future use area located in the E 1/2 E 1/2 SE 1/4 Section 7-T106N-R48W. This application proposes to construct a well in the SE 1/4 NE 1/4 Section 7-T106N-R48W which is not located within the future use area covered by Permit No. 3984-3. When the publication notice is prepared for the new application, we will include a statement amending the future use area of Permit No. 3984-3 to include the SE 1/4 NE 1/4 Section 7-T106N-R48W. Please let us know if you concur with amending the future use area on Permit No. 3984-3.

The filing fee for this application will be \$350.00.

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

Sincerely,

Karen Schlaak
Natural Resources Analyst
605 773-3352

cc: Leonard Heinemann

LETTER OF TRANSMITTAL

BANNER ASSOCIATES, INC.
409 22nd Ave. S. - P.O. Box 298
BROOKINGS, SOUTH DAKOTA
(605) 692-6342

DATE: 10/16/92	JOB NO. 7452-03
ATTENTION: Karen Schlaak	
RE: Big Sioux Community Water	
Water Rights application	

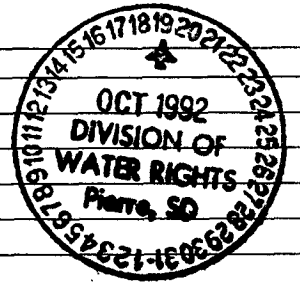
TO : South Dakota Dept. of Environment and Natural Resources
Water Rights Division
Joe Foss Building
Pierre, S.D. 57501

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

☐ Shop Drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications

☐ Copy of letter ☐ Change order ☒ Check and drillers logs

COPIES	DATE	NO.	DESCRIPTION
1			Copy of letter from DENR, Division of Water Rights
1			Check for \$350 for filing fee on application
1			Copy of Geotek soils investigation,



THESE ARE TRANSMITTED as checked below:

☐ For Approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval

☒ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution

☒ As requested ☐ Returned for corrections ☐ Return _____ corrected prints

☐ For review and comment ☐ _____

☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

Boring numbers 18A, 12, and 13 are closest to the proposed well site.

COPY TO Leonard Heinemann, BSCW

SIGNED : _____

If enclosures are not as noted, kindly notify us at once.

REPORT ON APPLICATION NOS. 3984A-3 and 5720-3
for Big Sioux Community Water Corporation
November 2, 1992

Application No. 5720-3 proposes to construct and place to beneficial use 1.1 cfs (495 gpm) [478 acre-feet annually] from one well approximately 32 feet deep located in the SE 1/4 NE 1/4 of Section 7-T106N-R48W in Moody County. This water was appropriated and reserved by Future Use Permit No. 3984-3. The future use area for Permit No. 3984-3 is located in the E 1/2 E 1/2 SE 1/4 of Section 7-T106N-R48W. Application No. 3984A-3 also serves to amend Permit No. 3984-3 to include the E 1/2 NE 1/4 of Section 7 and SW 1/4 SW 1/4 Section 8, all in T106N-R48W as part of the future use area. The water will be used to supply the Big Sioux Community Water System Located in Brookings, Lake, Moody and Minnehaha Counties.

AQUIFER - BIG SIOUX MOODY (BS-M)

The Big Sioux Moody is an unconfined glacial outwash (sand and gravel). The aquifer consists of fine to medium, poorly sorted sand, to a well-sorted sand and medium gravel (Hansen, 1986). The aquifer underlies 33,100 acres and contains an estimated 124,130 acre-feet of recoverable water in storage in Moody County (Hedges, 1982). The USGS estimates the aquifer underlies 58 square miles and contains 163,000 acre-feet of water in storage (Hansen, 1986). The reason for the difference between the estimates is the use of a different storage coefficient to calculate the values. Ground water movement is from north to south and locally towards the Big Sioux River. The aquifer is hydraulically connected to the Big Sioux Brookings aquifer to the north and to the Big Sioux River throughout its length.

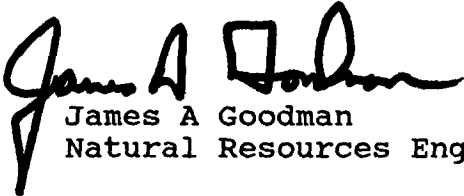
The Division of Water Rights monitors 21 observation wells completed into the Big Sioux Moody aquifer in Moody County. The nearest observation wells to this site are MY-82E and MY-82F. Both of these wells are located within 1 mile of this application. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Right, 1992).

REVIEW OF EXISTING WATER PERMIT/RIGHTS

There is one existing Water Right No. 2153-3 (1.22 cfs) which is located near the diversion proposed by Water Permit Application No. 5720-3. The well for this application is about 685 feet southeast of the well for Water Right No. 2153-3. Interference is not expected to be a concern. Drawdown will occur as a result of pumping, but this distance should be sufficient to minimize any potential adverse effects. There is one other Water Permit No. 3640-3 located east of this application. Water Permit No. 3640-3 may be subject to cancellation for nonuse.

CONCLUSIONS

1. Water is available from the Big Sioux Moody aquifer.
2. The aquifer is under water table conditions. Drawdown is not expected to be significant even though the two wells are 685 feet apart. Interference is not expected to be adverse.
3. The advertisement in 1987 quantified an appropriation of 1882 acre-feet per year (this is based upon a diversion of 2.6 cfs for an entire year). The amount of water should be quantified in accordance with Board General Rule 74:02:01:24.01 to allow two times the annual amount actually put to beneficial use. Future Use Permit Nos. 3984-3 and 3984A-3 should be qualified to reserve for future use a total of 1,300 acre-feet annually.
4. This request is to put to use 1.1 cfs already appropriated by Future Use Permit No. 3984-3 and Future Use Permit No. 3984A-3. The 1.1 cfs diversion would be quantified at 478 acre-feet per year. This would leave (1300 - 478) 822 acre-feet of future use water remaining.
5. Any well authorized by this application must be constructed in accordance with SD Well Construction Standards.
6. Future Use Application No. 3984A-3 does not increase the authorized diversion by Future Use Permit No. 3984-3. Only the future use area is expanded.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hansen, D.S., 1986, Water Resources of Lake and Moody Counties, South Dakota, USGS WRI 84-4209, USGS, Huron, SD 57350.
- 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.
- Water Rights, 1992, Unpublished Observation Well Records for Moody County, SD DENR, Division of Water Rights, Pierre, SD 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5720-3, Big Sioux Community Water Corporation

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. 5720-3, Big Sioux Community Water Corporation, c/o Leonard Heinemann, Box 158, Egan, SD 57024.

The Chief Engineer is recommending APPROVAL of Application No. 5720-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use, and 3) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 5720-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Approval of Permit No. 5720-3 authorizes a total diversion of 478 acre-feet of water annually.
4. The Big Sioux Community Water Company shall report to the Chief Engineer annually the amount of water withdrawn each year from the Big Sioux:Moody Aquifer.

See report on application for additional information.


for JOHN HATCH, Chief Engineer
December 11, 1992

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Big Sioux Community Water Corporation

ADDRESS: Box 158, Egan, SD 57024 COUNTY: Moody

DATE: 11/18/92 TELEPHONE: _____

RE: Discussion with Dave Odens, Consulting Engineer for the Water Corp.

COMMENTS:

I called Dave Odens, an Engineer for Banner and Associates on Nov. 17, 1992 to discuss Big Sioux Community Water Corporation's water permit application to construct and place to beneficial use water reserved by Future Use Permit No. 3984-3 and to expand the future use area. I explained that the Chief Engineer believes that a separate application is needed to amend FU Permit No. 3984-3 to expand the future use area. The Chief Engineer also wanted an annual volume of water (acre-feet) established for the application to construct and place to beneficial water reserved by FU Permit No. 3984-3.

Mr. Odens call me back on Nov. 18, 1992. He stated that he had discussed these issues with Leonard Heinemann, Manager of the system. They had no problem separating the application. I had previously commented that the general rule of thumb when determining the annual volume of water we use 60% of the diversion rate. Since the diversion rate is 1.1 cfs that would convert to 478 acre feet annually considering pumping 60% of the time. Mr. Odens stated that the Water Corporation was in agreement with this amendment.

Mr. Odens further stated that regarding the expansion of the future use area, that there may need to be a further amendment to the expanded area. He stated that the original application proposed expanding the future use area to the SE1/4 NE1/4 Section 7, T106N, R48W. However the land the Corporation had purchased was the E1/2 E1/2 NE1/4 Section 7, T106N, R48W. Additionally, the Water Corporation had purchased some other lands that although they did not expect to develop as a well site would like included in their future use area in the event it became necessary to develop this site for production. I stated that the best way to handle these changes would be if they'd submit a new application to include the entire area in the future use area with a map outlining the new area. Mr. Odens indicated that this would not be a problem and he would fill out a new application.

I explained the application filing fees:

- originally submitted \$350
 - for 478 acre feet appl. \$275
 - for expanding FU area \$ 50
- AMOUNT NEEDED TO BE REFUNDED \$ 25**

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 Hamlund

PAYMENT REQUEST FORM

PAYEE: Big Sioux Community Water, Inc. **FROM:** DENR
P.O. Box 158 Water Rights Division
Egan, SD 57024 532 E. Capitol
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCT OR TRANSFER

Overpayment of application fees for Permit Nos. 5720-3 and 3984A-3.

AMOUNT: \$25.00

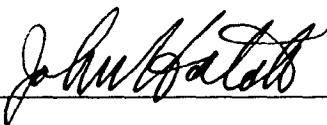
FUNDING SOURCE:

GENERAL:

FEDERAL:

COMMENTS:

AUTHORIZATION:



11-23-97

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federally assisted program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 15, 1993

Daily Register
Box 177
Brookings, SD 57006

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 3984A-3 and 5720-3 to be published twice. Please publish the first notice on January 27, 1993, 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 Big Sioux Community Water Corporation, Box 158, Egan, SD 57024 (Ph # 997-2098).

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 applications 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 15, 1993

Daily Leader
PO Box 348
Madison, SD 57042

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 3984A-3 and 5720-3 to be published twice. Please publish the first notice on January 27, 1993, 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 Big Sioux Community Water Corporation, Box 158, Egan, SD 57024 (Ph # 997-2098).

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name _____

Newspaper _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 15, 1993

Moody Co. Enterprise
Box 71
Flandreau, SD 57028

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 3984A-3 and 5720-3 to be published twice. Please publish the first notice on January 27, 1993, 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 Big Sioux Community Water Corporation, Box 158, Egan, SD 57024 (Ph # 997-2098).

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name _____

Newspaper _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 15, 1993

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 3984A-3 and 5720-3 to be published twice. Please publish the first notice on January 27, 1993, 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 Big Sioux Community Water Corporation, Box 158, Egan, SD 57024 (Ph # 997-2098).

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 applications until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on January 27, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 3984A-3 to Amend Future Use Permit No. 3984-3
and NOTICE OF HEARING on Application No. 5720-3 to Develop Reserved Water

Notice is given that the Big Sioux Community Water Corporation, Box 158, Egan, SD 57024 has filed applications for two water permits.

Water Permit Application No. 3984A-3 is to amend Future Use Permit No. 3984-3 to expand the future use area. Future Use Permit No. 3984-3 reserves 2.6 cubic feet of water per second (cfs) from the Big Sioux:Moody Aquifer from wells to be located in the E 1/2 E 1/2 SE 1/4 Section 7-T106N-R48W. This application proposes to expend the future use area to include the E 1/2 NE 1/4 Section 7; and the SW 1/4 SW 1/4 Section 8; all in T106N-R48W. This notice also serves to quantify the volume of water held in reserve by Future Use Permit No. 3984-3 to 1300 acre-feet of water annually from the Big Sioux:Moody Aquifer.

Water Permit Application No. 5720-3 is to construct and place to beneficial use 1.1 cfs (478 acre-feet annually) reserved for future use by Permit Nos. 3984-3 and 3984A-3. The point of diversion will be from one well (Big Sioux:Moody Aquifer) approximately 32 feet deep located in the SE 1/4 NE 1/4 Section 7-T106N-R48W. The water will be used to supply the Big Sioux Community Water Corporation's system located in Brookings, Lake, Moody and Minnehaha Counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3984A-3 because 1) the quantity of water reserved will be needed by the Big Sioux Community Water Corporation, 2) the proposed use is a beneficial use of water, and 3) it is in the public interest and APPROVAL of Application No. 5720-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. Unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider the applications 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 applications.

Any person interested in opposing or supporting the applications 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 recommendations. 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 February 19, 1993. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 applications or the applicant files a petition contesting the chief engineer's recommendations, the Board will consider the applications at 10:00 a.m., March 3, 1993, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. If a hearing is held, the Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny the applications based on the facts presented at the public hearing. The March 3, 1993, 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 applications. The request for an automatic delay must be filed by February 19, 1993.

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 February 19, 1993, 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.

These applications are 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; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Moody) ss



I, Angela Nibbelink
 certify that the attached printed Notice was
 taken from the Moody County
Enterprise
 printed and published in Flandreau

County of Moody and State of
 South Dakota. The notice was published in
 the newspaper on the following two dates:

Jan. 26, 1993
Feb. 2, 1993

Cost of Printing: 75.98

Angela Nibbelink
 (Signature)
Bookkeeper
 (Title)
Feb. 2, 1993
 (Date Signed)

**NOTICE OF HEARING on
 Application No. 3984A-3 to
 Amend Future Use Permit
 No. 3984-3 and NOTICE OF
 HEARING on Application
 No. 5720-3 to Develop
 Reserved Water**

Notice is given that the Big Sioux Community Water Corporation, Box 158, Egan, SD 57024 has filed applications for two water permits.

Water Permit Application No. 3984A-3 is to amend Future Use Permit No. 3984-3 to expand the future use area. Future Use Permit No. 3984-3 reserves 2.6 cubic feet of water per second (cfs) from the Big Sioux: Moody Aquifer from wells to be located in the E 1/2 E 1/2 SE 1/4 Section 7-T106N-R48W. This application proposes to expend the future use area to include the E 1/2 NE 1/4 Section 7; and the SW 1/4 SW 1/4 Section 8; all in T106N-R48W. This notice also serves to qualify the volume of water held in reserve by Future Use Permit No. 3984-3 to 1300 acre-feet of water annually from the Big Sioux: Moody Aquifer.

Water Permit Application No. 5720-3 is to construct and place to beneficial use 1.1 cfs (478 acre-feet annually) reserved for future use by Permit Nos. 3984-3 and 3984A-3. The point of diversion will be from one well (Big Sioux: Moody Aquifer) approximately 32 feet deep located in the SE 1/4 NE 1/4 Section 7-T106N-R48W. The water will be used to supply the Big Sioux Community Water Corporation's system located in Brookings, Lake, Moody and Minnehaha Counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3984A-3 because 1) the quantity of water reserved will be needed by the Big Sioux Community Water Corporation; 2) the proposed use is a beneficial use of water; and 3) it is in the public interest and APPROVAL of Application No. 5720-3 because 1) existing rights will not be unlawfully impaired; 2) it is a beneficial use of water; and 3) it is in the public interest. Unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider the applications 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 applications.

Any person interested in opposing or supporting the applications must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed in the Chief Engineer's recommendations. 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 February 19, 1993. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 applications or the applicant files a petition contesting the chief engineer's recommendations, the Board will consider the applications at 10:00 a.m., March 3, 1993, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. If a hearing is held, the Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny the applications based on the facts presented at the public hearing. The March 3, 1993, 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 applications. The request for an automatic delay must be filed by February 19, 1993.

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 February 19, 1993, 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.

These applications are 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; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25.

Robert E. Roberts, Secretary,
 Department of Environment and Natural Resources.

(Jan. 26 & Feb. 2, 1993)

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

Wednesday, the 27 day of January, 19 93

Wednesday, the 3 day of February, 19 93

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

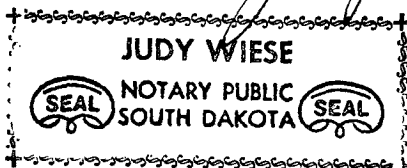
and that \$150.09 was charged for publishing the same including a \$2.00 affidavit fee.

M. Devish

Subscribed and sworn to before me February 3, 19 93

Judy Wiese

Notary Public, South Dakota



State Notices

NOTICE OF HEARING
on Application No. 3984A-3 to
Amend Future Use Permit No.
3984-3 and NOTICE OF HEARING
on Application No. 5720-3 to

Develop Reserved Water
Notice is given that the Big Sioux
Community Water Corporation, Box
195, Egan, SD 57024 has filed
applications for two water permits.
Water Permit Application No.
3984A-3 is to amend Future Use
Permit No. 3984-3 to expand the
future use area. Future Use Permit
No. 3984-3 reserves 2.6 cubic feet
of water per second (cfs) from the
Big Sioux: Moody Aquifer from
wells to be located in the E 1/2 E
1/2 SE 1/4 Section 7-T106N-R48W.
This application proposes to ex-
pend the future use area to include
the E 1/2 NE 1/4 Section 7; and the
SW 1/4 SW 1/4 Section 8; all in
T106N-R48W. This notice also
serves to quantify the volume of
water held in reserve by Future Use
Permit No. 3984-3 to 1300 acre-feet
of water annually from the Big
Sioux: Moody Aquifer.

Water Permit Application No.
5720-3 is to construct and place to
beneficial use 1.1 cfs (478 acre-feet
annually) reserved for future use by
Permit Nos. 3984-3 and 3984A-3.
The point of diversion will be from
one well (Big Sioux: Moody Aquifer)
approximately 32 feet deep located
in the SE 1/4 NE 1/4 Section
7-T106N-R48W. The water will be
used to supply the Big Sioux
Community Water Corporation's
system located in Brookings, Lake,
Moody and Minnehaha Counties.

Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends AP-
PROVAL of Application No.
3984A-3 because 1) the quantity of
water reserved will be needed by
the Big Sioux Community Water
Corporation, 2) the proposed use is
a beneficial use of water, and 3) it
is in the public interest and AP-
PROVAL of Application No. 5720-3
because 1) existing rights will not
be unlawfully impaired, 2) it is a
beneficial use of water, and 3) it is
in the public interest. Unless a
petition is filed opposing the applica-
tions or the applicant files a
petition contesting the chief engi-
neer's recommendations, the Water
Management Board will NOT CON-
DUCT a HEARING to consider the
applications and the chief engineer
will issue the permit as recom-
mended. Petitions filed in support
of the application will NOT require
the Board to hear the applications.

Any person interested in op-
posing or supporting the applica-
tions 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 recommendations.
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 February 19, 1993.
The petition may be informal, but
must include a statement de-
scribing the petitioner's interest in
the applications, the petitioner's
reasons for opposing or supporting
the applications, and the signature
and mailing address of the peti-
tioner or the petitioner's legal
counsel, if legal counsel is ob-
tained.

If a petition is filed opposing the
applications or the applicant files a
petition contesting the chief engi-
neer's recommendations, the Board
will consider the applications at
10:00 a.m., March 3, 1993, Floyd
Matthew Training Center, Joe Foss
Building, 523 East Capitol, Pierre,
SD. If a hearing is held, the Chief
Engineer's recommendations are
not final or binding upon the Board.
The Board is authorized to 1)
approve, 2) approve with qualifica-
tions, 3) defer, or 4) deny the
applications based on the facts
presented at the public hearing.
The March 3, 1993, 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 applications. The re-
quest for an automatic delay must
be filed by February 19, 1993.

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 ac-
cording 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 Su-
preme Court as provided by law.
Contact Eric Gronlund by February

19, 1993, 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.

These applications are made pur-
suant 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; 46-5-38 thru
46-5-40; and Board Rules ARSD
74:02:01:01 thru 74:02:01:15;
74:02:01:24 thru 74:02:01:25.

Robert E. Roberts, Secretary
Department of Environment and
Natural Resources
Jan. 27; Feb. 3, 1993

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Brookings) ss

I, Nancy P. Skyberg

certify that the attached printed Notice was
taken from the Brookings Register

printed and published in Brookings

County of Brookings and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

January 27, 1993

February 3, 1993

Cost of Printing: \$76.46

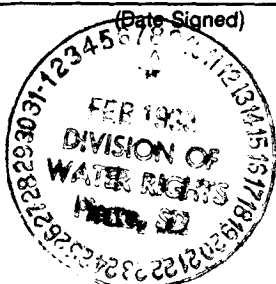
Seventy-six and 46/100 dollars

(Signature)

Legal Advertisement Coordinator
(Title)

2/3/93

(Date Signed)



Legal 821, 2x, Jan. 27, Feb. 3

NOTICE OF HEARING on
Application No. 3984A-3 to Amend
Future Use Permit No. 3984-3 and
NOTICE OF HEARING on Application
No. 5720-3 to Develop Reserved Water
Notice is given that the Big Sioux
Community Water Corporation, Box
158, Egan, SD 57024 has filed
applications for two water permits.

Water Permit Application No.
3984A-3 is to amend Future Use
Permit No. 3984-3 to expand the future
use area. Future Use Permit No. 3984-3
reserves 2.6 cubic feet of water per
second (cfs) from the Big Sioux:Moody
Aquifer from wells to be located in the
E 1/2 E 1/2 SE 1/4 Section 7-T106N-
R48W. This application proposes to
expand the future use area to include
the E 1/2 NE 1/4 Section 7; and the SW
1/4 SW 1/4 Section 8; all in T106N-
R48W. This notice also serves to
quantify the volume of water held in
reserve by Future Use Permit No. 3984-
3 to 1300 acre-feet of water annually
from the Big Sioux:Moody Aquifer.

Water Permit Application No. 5720-3
is to construct and place to beneficial
use 1.1 cfs (478 acre-feet annually)
reserved for future use by Permit Nos.
3984-3 and 3984A-3. The point of
diversion will be from one well (Big
Sioux:Moody Aquifer) approximately
32 feet deep located in the SE 1/4 NE
1/4 Section 7-T106N-R48W. The water
will be used to supply the Big Sioux
Community Water Corporation's
system located in Brookings, Lake,
Moody and Minnehaha Counties.

Pursuant to SDCL 46-2A-2, the Chief
Engineer recommends APPROVAL of
Application No. 3984A-3 because 1) the
quantity of water reserved will be
needed by the Big Sioux Community
Water Corporation, 2) the proposed
use is a beneficial use of water, and 3) it
is in the public interest and
APPROVAL of Application No. 5720-3
because 1) existing rights will not be
unlawfully impaired, 2) it is a
beneficial use of water, and 3) it is in
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chief engineer's recommendations, the
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the applications and the chief engineer
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Petitions filed in support of the
application will NOT require the
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applicant must also file a petition if
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Engineer's address is "Water Rights
Division, Foss Building, 523 E Capitol,
Pierre SD 57501 (605 773-3352)" and the
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above. A petition filed by either an
interested person or the applicant

must be filed by February 19, 1993. The
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March 3, 1993, Floyd Matthew Training
Center, Joe Foss Building, 523 East
Capitol, Pierre, SD. If a hearing is held,
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recommendations are not final or
binding upon the Board. The Board is
authorized to 1) approve, 2) approve
with qualifications, 3) defer, or 4) deny
the applications based on the facts
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appealed to the Circuit Court and State
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Contact Eric Gronlund by February 19,
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pursuant to SDCL 46-1-1 thru 46-1-9,
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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; 46-5-38 thru 46-5-40; and Board
Rules ARSD 74:02:01:01 thru
74:02:01:15; 74:02:01:24 thru 74:02:01:25.
Robert E. Roberts, Secretary,
Department of Environment and
Natural Resources.

OK

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Lake) ss

I, Deanna Bergheim

certify that the attached printed Notice was

taken from the Madison

Daily Leader

printed and published in Madison, SD

County of Lake and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

Wednesday, January 27, 1993

Wednesday, February 3, 1993

Cost of Printing: 66.98

Deanna Bergheim
(Signature)

Secretary

(Title)

Feb 4, 1993
(Date Signed)

Wed., Jan. 27, Feb. 3

**NOTICE OF HEARING
ON APPLICATION NO. 3984-3
TO AMEND FUTURE USE PERMIT
NO. 3984-3 AND NOTICE OF HEARING
ON APPLICATION NO. 5720-3
TO DEVELOP RESERVED WATER**

Notice is given that the Big Sioux Community Water Corporation, Box 158, Egan, SD 57024 has filed applications for two water permits.

Water Permit Application No. 3984A-3 is to amend Future Use Permit No. 3984-3 to expand the future use area. Future Use Permit No. 3984-3 reserves 2.6 cubic feet of water per second (cfs) from the Big Sioux: Moody Aquifer from wells to be located in the E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 7-T106N-R48W. This application proposes to expand the future use area to include the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 7; and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8; all in T106N-R48W. This notice also serves to quantify the volume of water held in reserve by Future Use Permit No. 3984-3 to 1300 acre-feet of water annually from the Big Sioux: Moody Aquifer.

Water Permit Application No. 5720-3 is to construct and place to beneficial use 1.1 cfs (478 acre-feet annually) reserved for future use by Permit Nos. 3984-3 and 3984A-3. The point of diversion will be from one well (Big Sioux: Moody Aquifer) approximately 32 feet deep located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7-T106N-R48W. The water will be used to supply the Big Sioux Community Water Corporation's system located in Brookings, Lake, Moody and Minnehaha Counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3984A-3 because 1) the quantity of water reserved will be needed by the Big Sioux Community Water Corporation, 2) the proposed use is a beneficial use of water, and 3) it is in the public interest and APPROVAL of Application No. 5720-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. Unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider the applications 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 applications.

Any person interested in opposing or supporting the applications 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 recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 808 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 February 19, 1993. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 applications or the applicant files a petition contesting the chief engineer's recommendations, the Board will consider the applications at 10:00 a.m., March 3, 1993, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. If a hearing is held, the Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny the applications based on the facts presented at the public hearing. The March 3, 1993, 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 applications. The request for an automatic delay must be filed by February 19, 1993.

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 February 19, 1993, 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.

These applications are 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; 46-6-38 thru 46-6-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25.

ROBERT E. ROBERTS
Secretary
Dept. of Environment
and Natural Resources





MAR 26 1993

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Leonard Heinemann, Manager
Big Sioux Community Water Corporation
Box 158
Egan, SD 57024

Dear Mr. Heinemann:

Enclosed is Water Permit No. 5720-3 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.

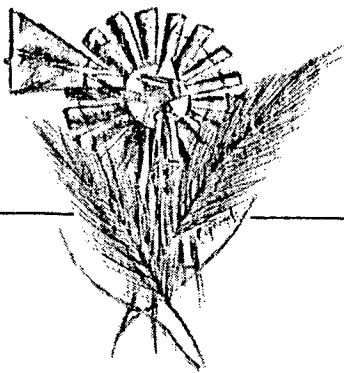
Very truly yours,

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.



Big Sioux

Community Water System, Inc.

BOX 158 • EGAN, SOUTH DAKOTA 57024 • (605) 997-2098

January 11, 1994

Karen Schlaak
Natural Resources Analyst
Department of Environment and Natural Resources
Joe Foss Building, 523 East Capitol
Pierre, S. Dak. 57501-3181

Dear Ms. Schlaak:

This letter is in response to your letter regarding the seven year review of Future Use Water Permit No. 3984-3 currently held by Big Sioux Community Water System, Inc.

In 1993, we pumped 209,380,000 gallons of water from the Big Sioux Aquifer. This was our peak year in the seven years prior to and including 1993. In those seven years we added 226 new hookups and currently have 1449 paid up members. We expect that type of growth to continue into the foreseeable future. We have also added, in 1993, the town of Egan and hooked up Rutland residents on an individual basis. Based on Egan's usage the last couple months, we expect they will use an average of about 1 million gallons per month. We can easily expect to see future pumping in the neighborhood of 230-240 million gallons per normal weather type year without factoring in any growth.

We are also on the downhill side of completing a 1200 GPM lime softening treatment plant. It should be done in early 1994. The gallons per minute size was determined because we do expect to see continued growth of our system. There are towns within our distribution limits that still have the option of connecting to our system should the need arise.

Our pumping records will show total pumped of:

1991 -	208,942,340	gallons
1992 -	202,370,000	gallons
1993 -	209,380,000	gallons

We do hope to retain the permit as currently written. In 20 years we have doubled in size and tripled our water sales. Big Sioux is a dynamic rural water system and this growth trend will continue.

If you have questions, give me a call at 997-2098. Thank You.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Leonard Heinemann".

Leonard Heinemann, Manager
Big Sioux Community Water System, Inc.

LH/jf

5720-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1994

Leonard Heinemann
Big Sioux Community Water
Box 158
Egan, SD 57024

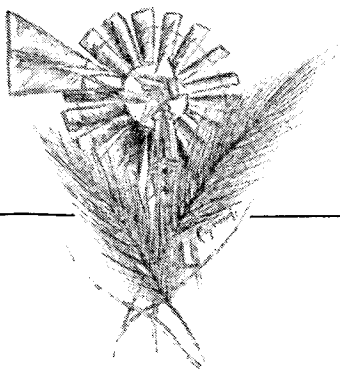
Dear Mr. Heinemann:

Pursuant to a qualification on Water Permit/Right No. 5720-3, I am requesting that the Big Sioux Community Water report the total amount of water diverted from the Big Sioux:Moody Aquifer during 1993. Please respond by January 31, 1994.

If you have any questions concerning this or other water rights questions, please contact Barry McLaury, Natural Resources Analyst, (605) 773-3352.

Sincerely,

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



Big Sioux

Community Water System, Inc.

BOX 158 • EGAN, SOUTH DAKOTA 57024 • (605) 997-2098

January 17, 1994



Mr. Ron Duvall
Natural Resources Engineer
DENR - Joe Foss Building
523 East Capitol
Pierre, S. Dak. 57501-3181

Dear Mr. Duvall:

The Water Permit/Right No. 5720-3 refers to a permit to pump water from a well yet to be constructed. This well will be drilled this spring as a part of a treatment plant construction project that is in progress.

I am enclosing a copy of a letter to Ms. Karen Schlaak written in regard to Water Permit No. 3984-3 that should answer your questions in a letter you wrote to me January 13, 1994.

If this is not sufficient or you have questions, please call me at 997-2098.

Thank you!

Sincerely yours,

Leonard Heinemann, Manager
Big Sioux Community Water System, Inc.

LH/jf
Encl

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Big Sioux Community Water Corp.-- WP No. 5720-3

ADDRESS: COUNTY:

DATE: 4/26/95

TELEPHONE:

RE: Call from Martin Jarrett, Manager, BSCWC regarding my April 20, 1995 letter

COMMENTS:

Mr. Jarrett called regarding the last paragraph on my April 20, 1995, letter. I explained the reasoning for the volume limitation. In the course of our discussion I became aware that the Corporation was looking at relocating Well No. 5 because location of the existing well was on the edge of the aquifer and production was not satisfactory. The basis for my letter had been to inform Mr. Jarrett was that since the well as authorized by No. 5720-3 was not constructed at the location authorized and amendment to change the location of the diversion point under No. 5720-3 would be necessary. Since they were looking at moving the well location again within the next year, I stated that it may be most appropriate for them to apply for proposed location of the replacement well for Well No. 5. This would save them from having to get a permit for the existing well location and then in a year go through the same process again. Mr. Jarrett indicated the existing well would be abandoned and plugged in accordance with regulation. Mr. Jarrett stated he has a location in mind for the replacement well but has not talked to the landowner. The landowner is gone until approximately June. I said the issue could wait until he has a chance to discuss this with the landowner. If all goes well, Mr. Jarrett would then apply for the new location.

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 Gundlund



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 27, 1996

Martin Jarrett, Manager
Big Sioux Community Water Corporation
Box 158
Egan SD 57024

Dear Martin:

I am writing in response to my investigation of the rural water system's water right permits completed on June 12, 1996. The purpose of the investigation is to license the permits for the amount of water actually developed under each permit. As we discussed during our meeting, there are some issues that need to be addressed.

Water Permit No. 2054-3 was approved March 20, 1974, for construction of up to 4 wells in the E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ section 7-T106N-R48W. Construction of the wells authorized by No. 2054-3 was to be completed by March 20, 1977. Based on the investigation, it was determined that well Nos. 3 and 4 were both constructed after the 1977 completion date. Well No. 3 was completed on May 13, 1978, and well No. 4 was completed on July 18, 1981 according to well completion reports filed by Lacey Well Drilling. I suspect that no one paid attention to the permitted completion date and well construction continued since No. 2054-3 was originally issued for four wells. No other permits are on file that authorize completion of well Nos. 3 and 4 after March 20, 1977.

There are several ways to handle covering well Nos. 3 and 4 by a water permit. I propose you use one of the following two options.

1. Complete a permit application for well No. 3 to place water to use that is currently reserved under Future Use Permit Nos. 3984-3 and 3984A-3. Well No. 3 is located within the future use area and, if approved, well No. 3 would take a priority date of June 6, 1977. Another permit application would be needed for Well No. 4 which is outside of the future use area. Therefore, well No. 4 would take a new priority date as of the date the application is received.
2. The second option involves applying for another expansion of the future use area to include the location of well No. 4. If the future use expansion is approved, then an application could be submitted for both Well No. 3 and 4 to place water to use from future use reserves. This option would result in well Nos. 3 and 4 both receiving a priority date of June 6, 1997. As you may recall, this is the same procedure that was used for well No. 5. The future use area was expanded by No. 3984A-3 and water was placed to beneficial use from well No. 5 by Permit No. 5720A-3.

After deciding how you want to proceed, let me know and I will complete the needed applications to the extent possible. I will then send the applications to you for your review, signature, and any other information that may be needed. I will also prepare the maps for the applications.

August 27, 1996

Martin Jarrett

Page 2 of 2

In order to complete the licenses for Permit Nos. 2054-3, 5720-3, 5720A-3, and 4943-3 (near Brandt Lake), I will need the following items in addition to the information I received during our meeting.

- Please provide the peak rate (gallons per minute) at which water can be treated at the treatment plant using well Nos. 1 through 5.
- Please provide the maximum pump rates (gallons per minute) for each well.
- I have a copy of the well completion reports filed by Lacey Drilling for well Nos. 3, 4, and 5. I do not have any information on the well construction for well Nos. 1 and 2. Please provide a copy of the well completion reports from Lacey Drilling, if available, otherwise complete as much of the following information as possible.

Casing:	Well No. 1		Well No. 2	Screen:	Well No. 1		Well No. 2
Type (eg steel)				Type			
Length (ft)				Length (ft)			
Diameter (in)							

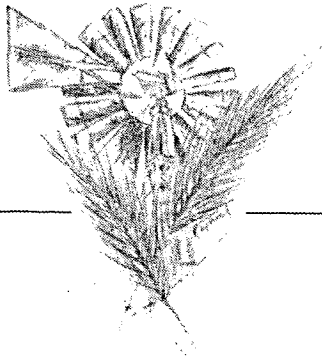
- Permit Nos. 5720-3 and 5720A-3 (Well No. 5) place to beneficial use up to 478 acre-feet (AF) of water annually reserved for future use under Future Use Permit Nos. 3984-3 and 3984A-3. The difference between 478 AF of water and the amount actually being placed to use will be returned to the future use permits (478 AF minus actual use AF = amount returned to future use reservation.) Please specify the maximum annual volume of water that will be diverted from well No. 5. Also, please provide the size and type of submersible unit installed in well No. 5.

If you have any questions or concerns, please let me know. I can be reached at (605) 773-3352. Thank you for taking the time to show me around.

Sincerely,



Ron Duvall
Natural Resources Engineer
Water Rights Program



Big Sioux

Community Water System, Inc.

BOX 158 • EGAN, SOUTH DAKOTA 57024 • (605) 997-2098



Ron Duvall, Nat. Res. Engineer
Water Rights Program, DENR
Joe Foss Bldg.
523 East Capital
Pierre, SD 57501-3181

September 4th, 1996

Dear Ron,

Thank you for your letter of August 27th, 1996. In answer to your suggestions I propose that we follow alternative one. Complete a permit application for well No. 3 under permit nos. 3984-3 and 3984A-3, taking a priority date of June 6, 1977. Complete another application for well no. 4, unfortunately having to take a new priority date.

To answer your questions on the second page of your letter, the peak rate at which water from wells 1-5 can be treated is 1150 gpm.

The maximum pump rates of the wells are as follows: Well 1 : 195 gpm

Well 2 : 325 gpm

Well 3 : 200 gpm

Well 4 : 425 gpm

Well 5 : 140 gpm

The discrepancy between total well production and maximum treatable is due to head loss in delivering water to plant when all wells are running.

I have enclosed a copy of the second page of your letter outlining the information you needed on well 1 & 2. Finally, with respect to well No. 5, the maximum we can expect from well 5 is 150 acre feet per year. The production from this well is nowhere near the expected capacity, and therefore I recommend you return 328 acre feet to our future use reservation.

The pump installed in well no. 5 is a J-Line 7.5 hp. water cooled, 460 volt, 3 phase submersible.

If I can be of any further assistance, please contact me at the above address,

Sincerely,

Martin Jarrett
Manager

August 27, 1996

Martin Jarrett

Page 2 of 2

In order to complete the licenses for Permit Nos. 2054-3, 5720-3, 5720A-3, and 4943-3 (near Brandt Lake), I will need the following items in addition to the information I received during our meeting.

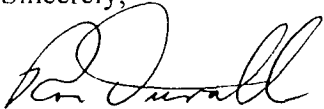
- Please provide the peak rate (gallons per minute) at which water can be treated at the treatment plant using well Nos. 1 through 5.
- Please provide the maximum pump rates (gallons per minute) for each well.
- I have a copy of the well completion reports filed by Lacey Drilling for well Nos. 3, 4, and 5. I do not have any information on the well construction for well Nos. 1 and 2. Please provide a copy of the well completion reports from Lacey Drilling, if available, otherwise complete as much of the following information as possible.

Casing:	Well No. 1	Well No. 2	Screen:	Well No. 1	Well No. 2
Type (eg steel)	Steel	Steel	Type	Stainless steel	Stainless steel
Length (ft)	23 FT	23 FT	Length (ft)	10 FT	10 FT
Diameter (in)	12 inches	12 inches			

- Permit Nos. 5720-3 and 5720A-3 (Well No. 5) place to beneficial use up to 478 acre-feet (AF) of water annually reserved for future use under Future Use Permit Nos. 3984-3 and 3984A-3. The difference between 478 AF of water and the amount actually being placed to use will be returned to the future use permits (478 AF minus actual use AF = amount returned to future use reservation.) Please specify the maximum annual volume of water that will be diverted from well No. 5. Also, please provide the size and type of submersible unit installed in well No. 5.

If you have any questions or concerns, please let me know. I can be reached at (605) 773-3352. Thank you for taking the time to show me around.

Sincerely,



Ron Duvall
Natural Resources Engineer
Water Rights Program



October 1, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Martin Jarrett, Manager
Big Sioux Community Water Corporation
Box 158
Egan SD 57024

Dear Martin:

I am writing in response to your letter received September 6, 1996. Thank you for completing the information I requested in my August 27 letter.

In accordance with your letter, I have partially-completed two permit applications for your review. The draft applications are enclosed along with blank forms in the event you need to make changes. I have also enclosed a copy of the maps I prepared for your review. The following items (denoted by red checks on the applications) need to be completed on the enclosed applications:

- Since water is being placed to beneficial use reserved by your future use permit, the maximum annual volume of water (acre-feet) diverted from well No. 3 needs to be completed for question No. 2. This number of acre-feet will then be deducted from the amount of water reserved by Future Use Permit No. 3984-3.
- If you wish, you may also identify a maximum annual number of acre-feet to be used from well No. 4. This will reduce the application fee somewhat since the fee is based on how much water is being appropriated.
- To the best of your knowledge, please specify the distance to the nearest domestic well owned by someone other than the rural water system (question No. 1g on Form 2A.)

After completing the questions on applications and signing the applications in the presence of a notary, return the applications with the maps and application fees. The fee structure is outlined on the enclosed instruction sheet.

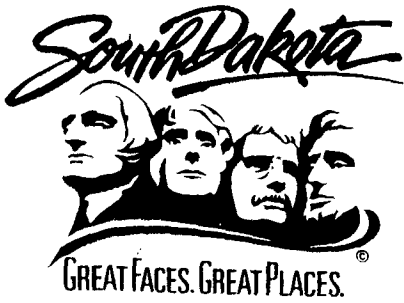
Please contact me at (605) 773-3352 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Duvall". The signature is fluid and cursive, with the first name "Ron" being more prominent than the last name "Duvall".

Ron Duvall
Natural Resources Engineer
Water Rights Program

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 26, 1997

2054-3
4943-3
5720A-3
5962-3
5963-3

Big Sioux Community Water Corp.
Martin Jarrett, Manager
P.O. Box 158
Egan, SD 57024

Dear Mr. Jarrett:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 2054-3, 4943-3, 5720A-3, 5962-3 and 5963-3, have been completed. Your final water right documents, the Water Licenses, can now be issued. Upon licensing, the applicable portions of Water Permit No. 5720-3 will be incorporated into 5720A-3.

Statutes require that we charge a \$50.00 fee per license for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee per license (\$250.00 total) from you, we will begin processing your Water Licenses.

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

Sincerely,

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 11, 1997

Martin Jarrett, Manager
Big Sioux Community Water Corp.
PO Box 158
Egan SD 57024

Dear Martin:

I am writing in response to our conversation on September 10, 1997, concerning the amount of the fees for licensing your water permits.

Two or more permits may, under certain conditions, be combined into one water license. This occurs when the permits involve diversion works that are included on each of the permits. For example, the rural water system holds Permit Nos. 5720-3 and 5720A-3 which both concern well No. 5. These two permits will be incorporated into one license and subsequently only one license fee of \$50.00 is needed. Your other permits all involve separate wells which is the reason for issuing separate licenses for the following permits.

- Permit No. 2054-3 covers well Nos. 1 and 2 (Nos. 3 and 4 were developed after the construction period)
- Permit No. 5962-3 covers well No. 3
- Permit No. 5963-3 covers well No. 4
- Permit No. 4943-3 covers the well located in Lake county.

Well Nos. 3 and 4 were not included on the same permit because one well places water to use reserved under a future use permit while the other well is located outside of the future use area.

Therefore, the total fee for the five licenses is \$250.00. However, based on our conversation about moving well No. 5, you may want to wait with licensing Nos. 5720-3 and 5720A-3. Permit No. 5720-3 was approved for use of 1.10 cfs (495 gpm) with an annual volume of 478 acre-feet. If licensed now, the diversion rate will be reduced to the current pump capacity of 0.31 cfs (140 gpm) with an annual volume limit of 150 acre-feet. Therefore, if a well relocation is approved and the relocated well produces more than 0.31 cfs (150 acre-feet annually), it would be advantageous to wait and license the permit for the greater diversion rate and volume. The time period to place water to beneficial use under No. 5720-3 does not expire until March 3, 2002.

Please let me know how you want to proceed. If you have any questions concerning this letter or any other issues, I can be reached at 605 773-3352. I will try to assist in any way possible.

Sincerely,

Ron Duvall
Natural Resources Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 21, 1999

Permit No. 5720B-3

Big Sioux Community Water, Inc.
%Martin Jarrett, Manager
P.O. Box 158
Egan, SD 57024

Dear Mr. Jarrett:

The investigation of your water use system was conducted on August 11, 1998, by Mark D. Rath, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 5720-3, 5720A-3 and 5720B-3. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit Nos. 5720-3 and 5720A-3 will be incorporated into 5720B-3.

Statutes require that we charge a \$50.00 fee for the investigation 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**

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

Sincerely,

Cheryl F. Frost
Secretary
Water Rights 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
www.state.sd.us/denr

MAY 20 1999

5720B-3

Big Sioux Community Water, Inc.
%Martin Jarrett, Manager
P.O. Box 158
Egan, SD 57024

Dear Mr. Jarrett:

Enclosed is Water License No. 5720B-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416112 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. 5720B-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

NOTE: The applicable portions of Nos. 5720A-3 and 5720-3 are incorporated into No. 5720B-3.