

WATER PERMIT NO. 5734-3

Phone: 352-6791

Name of Applicant: City of Huron

Post Office Address: PO Box 1369, Huron SD 57350

Amount of Water Claimed: 0.02 cfs Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: odor control County: Beadle

About _____ miles _____ of _____

PRIORITY Date Received: 12-14-92 Fee: \$50 Remarks: Water used to

dilute odor neutralizing chemicals to control odors at Huron's wastewater treatment plant

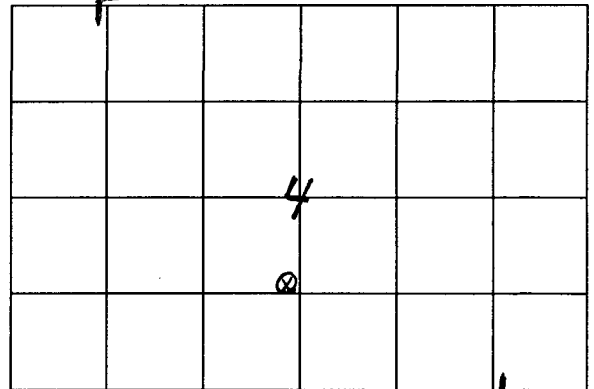
Corrected Application Received: _____ Period of Annual Use: Jan 1 - Dec 31

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

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

Diversion Point: NE 1/4 SE 1/4 Sec 4-T110N-R61W

Land to be Irrigated: _____



Well Log: Driller: Pullman Well Drilling Licensed YES X NO _____

Depth of Well: 82' REMARKS: _____

Type of Map: plat PREPARED BY: James P. Housiaux Reviewed and the Number

Assigned on: 12-14-92 By: Karen Schlaak

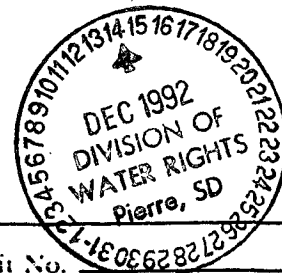
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

No. 5734-3 Hydrologic Unit 10160006
 Map No. _____ Basin James River
 Newspaper Daily Plainsman, Box 1278, Huron

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

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

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____1. Name of Applicant City of Huron Phone No. 352-6791Post Office Address P.O. Box 1369 Huron State S.D. 57350
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) <0.02 c.f.s.3. Source of water supply 82' Deep Well4. Location of point of diversion NE 1/4, SE 1/4, Section 4, T110N, R61WCounty Beadle5. Counties where water will be used Beadle6. Annual period during which water is to be used Jan 1 - Dec 31

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Water will be used to dilute odor neutralizing chemicals that are aspirated by a high pressure pumping system to control odors at Huron's wastewater treatment facility.

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 _____)

I, Norron Co. 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 [Signature]Subscribed and sworn to before me this 28 day of Aug 19 92

LINDA K. SEWELL
 MY COMMISSION EXPIRES
 May 8, 1995

[Signature]
 Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 5734-3**

Date of first receipt of application December 14, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5734-3 to City of Huron, PO Box 1369, Huron SD 57350 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. 5734-3 to appropriate 0.02 cubic feet of water per second (9 gallons per minute) from one well (Floyd East James Aquifer) 82 feet deep located in the NE 1/4 SE 1/4 Section 4-T110N-R61W.
2. The water appropriated shall be used for the purpose of supplying water to the City of Huron's wastewater treatment facility to control odors at the facility and may not exceed the amount of water needed for beneficial use to for municipal use.
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. 5734-3 is March 24, 1993.
5. The date from which applicant may claim right is December 14, 1992.
6. One-fifth of the construction is to be completed on or before September 24, 1995.
7. All construction is to be completed on or before March 24, 1998.
8. Water is to be put to beneficial use on or before March 24, 2002.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

By: _____

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

MAY 19 1993

date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 8 3/8" Depth 82'
- b) Casing Type Plastic Diameter 5" Thickness
- c) Screen Type P.V.C. Diameter 5" Thickness
- d) Gravel Pack Thickness 1 11/16" Length of Gravel Pack 32 Ft. (from 82' to 50')
- e) Depth to Top of Water Bearing Material 50'
- f) Depth to Water (ground surface to water level) 30'
- g) Distance to nearest existing domestic well: Approximately 3/4 mile
- On applicants property No On property owned by others Yes

2. Dugout Information Estimates **Not Applicable**

- a) Surface Dimensions Depth
- b) Depth to water (ground surface to water level)

3. Water Storage Dams **Not Applicable**

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

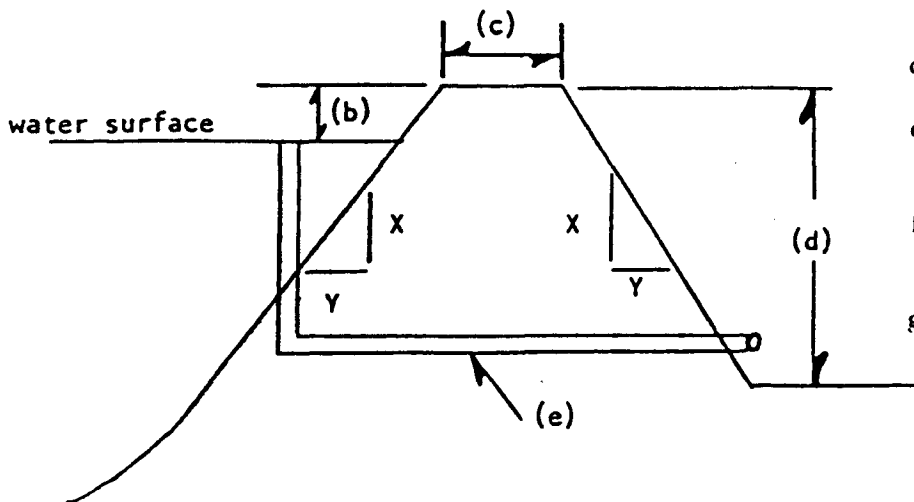
g) X & Y Slope
Upstream

Downstream

Surface Area of Impoundment

Storage acre feet

Drainage area above dam



Signature of Applicant _____

TOWNSHIP ROAD

ANAEROBIC LAGOON CONTROL
STRUCTURE

MEAT PACKING FORCE MAIN

ODOR CONTROL PIPING
10 MICRON NOZZELS AT 5 FOOT ON CENTER

BURIED LINE

SLUDGE STORAGE
LAGOON NO. 1

ANAEROBIC LAGOON
CELL NO. 1

ANAEROBIC LAGOON
CELL NO. 2

ANAEROBIC LAGOON
CELL NO. 3

SLUDGE STORAGE
LAGOON NO. 2

3/8" MANIFOLD

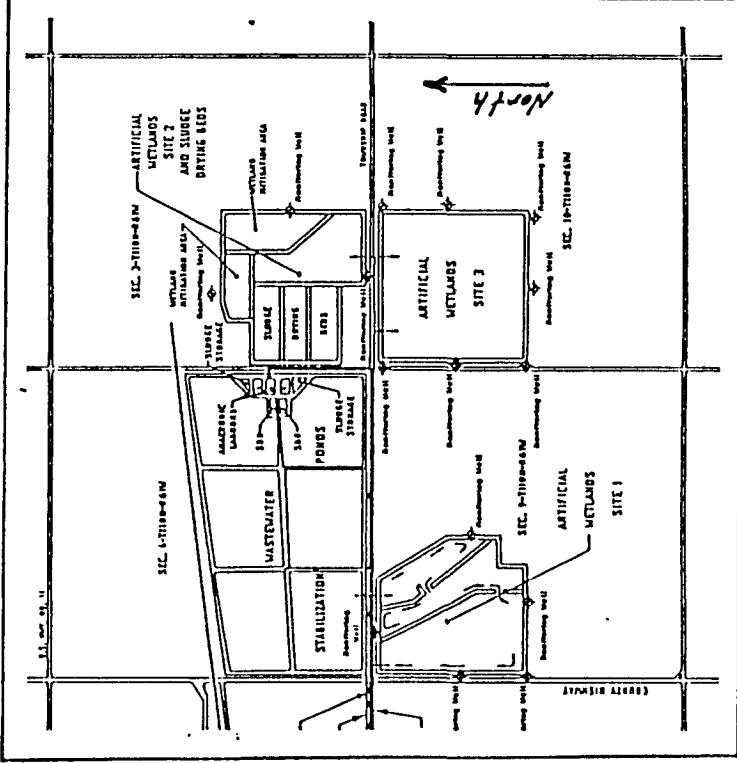
ODOR CONTROL PIPING
10 MICRON NOZZELS AT
5 FOOT ON CENTER

COMPRESSOR BLDG.

STABILIZATION POND NO. 1
(STAGE 1)

WELL BLDG

STABILIZATION POND NO. 2
(STAGE 1)



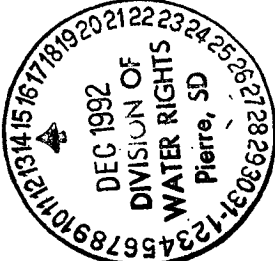
Prepared By:
Banner Associates, Inc.
Brookings, South Dakota
James P. Housiaux, P.E.

James P. Housiaux

WELL LOCATION IS APPROX. 1640' NORTH
AND 390' WEST OF THE SOUTHEAST CORNER
OF SECTION 4 - T110N - R61W.

HURON, SOUTH DAKOTA
WASTEWATER TREATMENT FACILITIES

ODOR CONTROL SYSTEM
LAYOUT PLAN
FIGURE NO. 4.5-4



BANNER ASSOCIATES, INC.
409 22nd Ave. S. P. O. Box 298
BROOKINGS, SOUTH DAKOTA 57006

LETTER OF TRANSMITTAL

(605) 692-6342

TO S.D. Dept. of Environment and Natural Resources
Joe Foss Bldg - 523 East Capital
Pierre, SD 57501-3181

DATE	JOB NO.
10 - December - 1992	7385-02-05
ATTENTION	
Ron Duvall, Water Rights Division	
RE:	
Huron WWTF	
Well for Odor Control System	

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

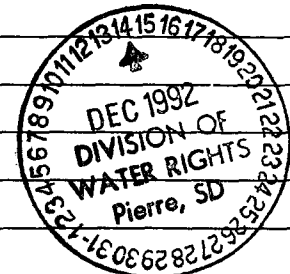
- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
1			Application for Permit to Appropriate Water

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 Norron Co. is the supplier of the odor
control equipment including the Well.
They are requesting this permit on behalf
of the City of Huron



COPY TO Dave Hart, City of Huron

SIGNED: James Houskamp

RECEIPT

413540

Division of Water Rights

South Dakota Department of Environment and Natural Resources

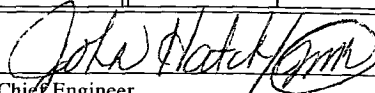
Pierre, _____ December 14, 19 92

RECEIVED OF Ron Mensching, PO Box 100, Magnolia, IA 51550

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

Fee for Application for Permit No. <u>5734-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 6, 1992

David Petersen
City Engineer
153 3rd Street SE
Huron SD 57350

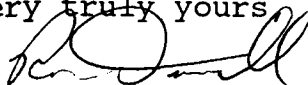
Dear Mr. Petersen:

A well driller's report filed by Pullman Well Drilling shows that they completed a new well for you which produced 75 Gallons Per Minute (GPM). Based on the information in the report, you may need a water permit.

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

Please complete and return the enclosed application forms, with the required fee, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by February 10, 1992, or contact Don Frye (605-773-3352) if you don't believe your water use requires a permit or if you need assistance.

Very truly yours,


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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 2, 1992

City Engineer
David Petersen
153 3rd Street SE
Huron SD 57350

Dear Mr. Petersen:

I am writing to follow-up on my January 6, 1992 letter concerning the possibility you may need to apply for a water permit. We have not received any response from you on this matter and would appreciate your earliest reply. A well driller's report filed by Pullman Well Drilling shows that they completed a new well for you which produced 75 Gallons Per Minute (GPM). Based on the information in the report, you may need a water permit.

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

Thank you for your attention to this matter.

Very truly yours,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 24, 1992

David Petersen
City Engineer
153 3rd Street SE
Huron SD 57350

Dear Mr. Petersen:

I am writing to follow-up on my January 6, 1992 and March 2, 1992 letters concerning the requirement to apply for a water permit. We have not received any response from you on this matter and would appreciate your earliest reply.

Please complete and return the application forms we previously sent you, with the required fee, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by July 24, 1992. You may contact Don Frye at 605-773-3352 if you need assistance with the application or have any questions regarding this matter.

Very truly yours,

RON DUVALL, Natural Resources Engineer
Water Rights Division

REPORT ON APPLICATION NO. 5734-3
for the City of Huron
February 3, 1993

Application No. 5734-3 proposes to appropriate 0.02 cfs (9 gpm) from one well approximately 82 feet deep located in the NE 1/4 SE 1/4 of section 4, T110N R61W in Beadle County. The water will be used to control odors at Huron's wastewater treatment facility.

AQUIFER - FLOYD EAST JAMES (F-EJ)

The Floyd East James is a buried glacial outwash (sand and gravel) under artesian conditions at this site. The Floyd East James is a complex aquifer system which can be buried, confined or unconfined, and surficial. The aquifer also is hydraulically connected to the underlying Niobrara Formation, to area creeks (like Pearl Creek) and potentially the James River which is a discharge zone. The Floyd East James underlies 146,600 acres and contains an estimated 700,000 acre feet of recoverable water in storage in Beadle County (Hedges, 1982). The aquifer extends into Sanborn, Miner and Hanson Counties to the south.

The Division of Water Rights monitors 28 observation wells completed into the Floyd East James aquifer in Beadle County. Two of these wells BD-68A and BD-65A are located 2 1/2 miles east and 2 1/2 miles southwest of this application respectively. 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 Rights, 1993).

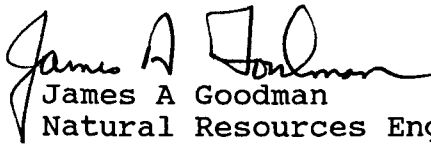
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing Water Right No. 4596-3 (irrigation, 1.88 cfs) which is located about 1 mile southeast of this application. Interference will not be a concern. The requested diversion rate for this application is only 9 gpm. A diversion of this rate will not cause a noticeable effect on the aquifer.

CONCLUSIONS

1. Water is available from the Floyd East James aquifer.
2. Interference is not expected to be a concern. The water levels in the Floyd East James aquifer do fluctuate in this area due to withdrawals by high capacity wells, but this request is not significant.

3. This well has been completed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hedges, L.S., etal, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1993, Unpublished Observation Well Records for Beadle County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

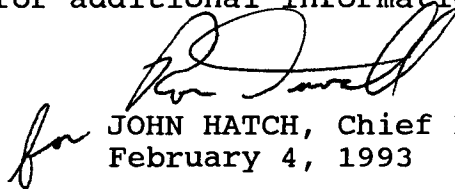
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5734-3, City of Huron

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. 5734-3, City of Huron, c/o David Peterson, City Engineer, 153 3rd Street SE, Huron, SD 57350.

The Chief Engineer is recommending APPROVAL of Application No. 5734-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

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

See report on application for additional information.


for JOHN HATCH, Chief Engineer
February 4, 1993



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

February 18, 1993

David Peterson
City of Huron
PO Box 1369
Huron, SD 57350

Dear Mr. Peterson:

Water Permit Application No. 5734-3 for odor control use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Daily Plainsman printed at Huron, SD (Ph # 352-6401). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



February 18, 1993

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Daily Plainsman
Box 1278
Huron, SD 57350

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5734-3 to be published twice. Please publish the first notice on February 25, 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 the City of Huron, PO Box 1369, Huron, SD 57350 (Ph # 352-6791).

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

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

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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 February 25, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5734-3 to Appropriate Water

Notice is given that the City of Huron, PO Box 1369, Huron, SD 57350 has filed an application for a water permit to appropriate 0.02 cubic feet of water per second (9 gallons per minute) from one well (Floyd East James Aquifer) 82 feet deep located in the NE 1/4 SE 1/4 Section 4-T110N-R61W. The water will be used to control odors at Huron's wastewater treatment facility.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5734-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 15, 1993. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5734-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for March 24, 1993, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the March 24, 1993, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The March 24, 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 application. The request for an automatic delay must be filed by March 15, 1993.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by March 15, 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.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Beadle) ss

I, Mary B. Walz

certify that the attached printed Notice was

taken from the Huron Plainsman

printed and published in Huron

County of Beadle and State of

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

February 25, 1993

March 4, 1993

Cost of Printing: \$134.28

Mary B. Walz
 (Signature)

Business Manager
 (Title)

March 4, 1993
 (Date Signed)

F.P. 2-25-93 L.P. 3-4-93

NOTICE OF HEARING ON APPLICATION NO. 5734 3 TO APPROPRIATE WATER

Notice is given that the City of Huron, PO BOX 1369, Huron, SD 57350 has filed an application for a water permit to appropriate 0.02 cubic feet of water per second (9 gallons per minute) from one well (Floyd East James Aquifer) 82 feet deep located in the NE 1/4 SE 1/4 Section 4-T10N-R61W. The water will be used to control odors at Huron's wastewater treatment facility.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5734-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use or water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 15, 1993. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5734-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for March 24, 1993, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the March 24, 1993, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The March 24, 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 application. The request for an automatic delay must be filed by March 15, 1993.

If a hearing is held, the chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by March 15, 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.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

No. 99 (Adv.)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 19 1993

David Peterson
City of Huron
PO Box 1369
Huron, SD 57350

Dear Mr. Peterson:

Enclosed is Water Permit No. 5734-3 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.



City of Huron

Office of The City Engineer 352-9332



May 21, 1993

Mr. John Hatch, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Re: Water Permit No. 5734-3

Dear Mr. Hatch:

Enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, for the above referenced Water Permit.

If you have any questions, or need additional information, please contact me.

Sincerely yours,

David A. Petersen, P.E.
City Engineer

Encl.



Doing
it
Right!

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date May 21, 1993

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

FROM: City of Huron Po Box 1369
(name) (address)
Huron, SD 57350 352-9332
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5734-3.

Water Permit No. 5734-3 states that the diversion system is to be constructed by March 24, 1998, and that the water is put to beneficial use by March 24, 2002.
(date) (date)

The diversion system was completed on 7-12-91.
(date)

Applying the water to beneficial use was completed on 8-15-91.
(date)

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

David Petersen
(signature)

Permit No. 5734-3
James River - Water District

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

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

I have this day, June 26, 2001, made a thorough examination of the water use system constructed by City of Huron of PO Box 1369, Huron SD 57350 holder of Permit No. 5734-3, bearing the priority of December 14, 1992 authorizing the diversion of 0.02 cu. ft. per second of the waters of ground water (Floyd East James aquifer) for municipal purposes, in Beadle County.

Inspection contact & relationship to permit holder, if applicable: **Vince Juelfs w\Wastewater**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Pullman Drilling
- 2) No. of Wells 1
- 3) Depth(s) 82 feet
- 4) Well log is available Y
- 5) Comment: legal incorrect on log

Casing:

- 1) Diameter 5 inches
- 2) Length 74 feet
- 3) Type Plastic

Screen:

- 1) Type PVC
- 2) Length 8 feet
- 3) Static water level 30 feet

Pump\Motor:

- 1) Make submersible unit
- 2) Size 1/2 hp
- 3) Capacity 9 GPM

B. Works used to transport\apply water to beneficial use:

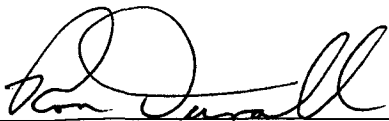
Water is used on-site for nonpotable uses such as weed spraying and sanitary purposes. No use is made for odor control.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Exceptions to compliance are: none

The system is in good condition with the point of diversion located as follows: well: ≈ 460 ft W and ≈ 1,650 ft N from the SE corner section 4-T110N-R61W (NE1/4SE1/4). The works are capable of diverting and conveying to the place of use 0.02 cu. ft. per second of water which is to be used for nonpotable purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.02 cfs.

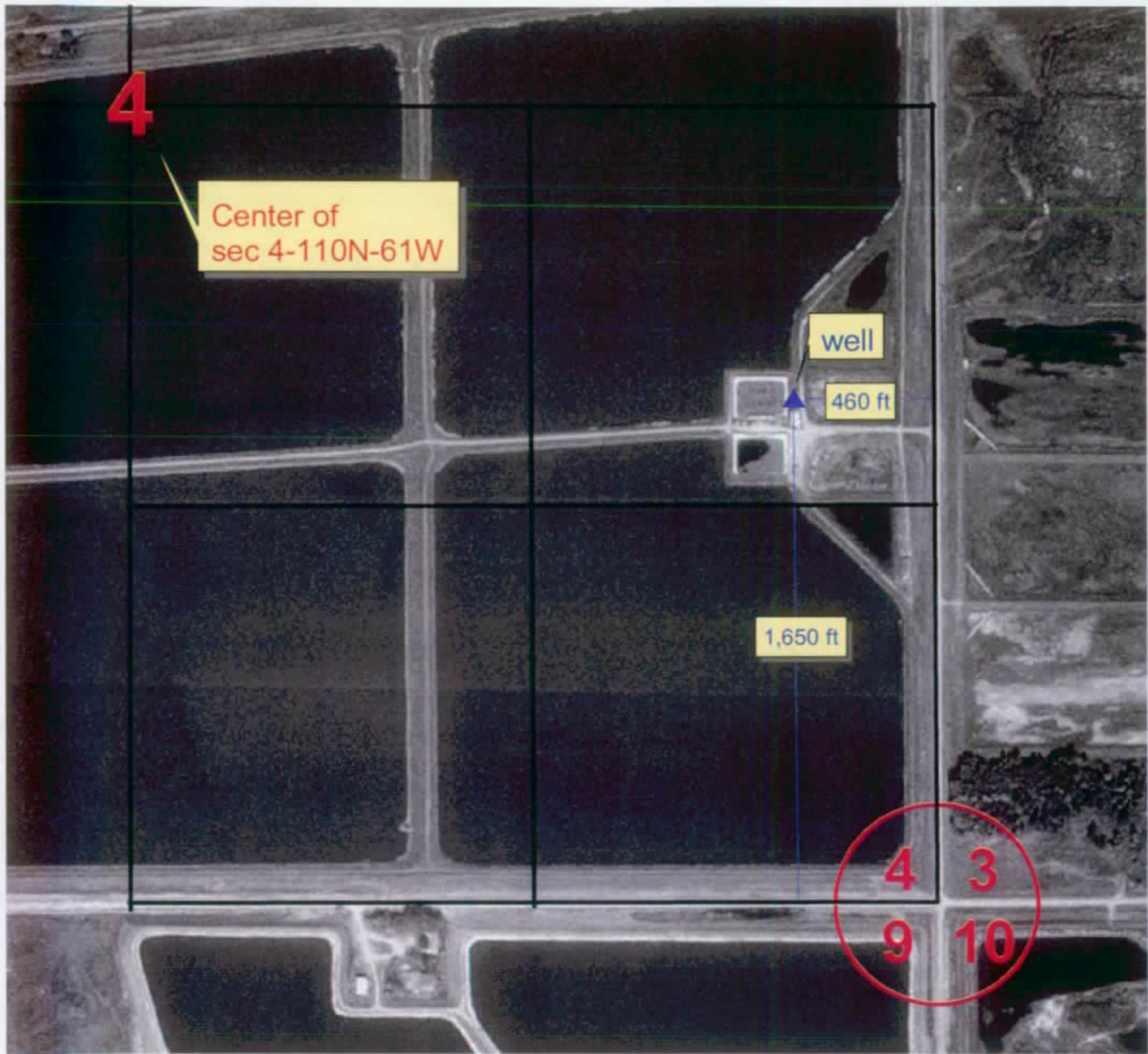
Comments or other permit(s) associated with the project: **none** | All structures, wells and lands on map Y



Ron Duvall
 Natural Resources Engineer
 DENR, Water Rights Program

Date report completed: August 7, 2001

600 0 600 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat. Res. Engineer
August 7, 2001

No. 5734-3

STATE OF SOUTH DAKOTA

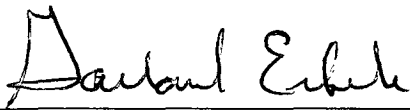
WATER LICENSE NO. 5734-3

(1) The City of Huron, PO Box 1369, Huron, SD 57350-1369 made Application No. 5734-3, December 14, 1992 for a water permit to divert 0.02 cubic feet of water per second from ground water (one well – Floyd East James aquifer), Beadle County, South Dakota for municipal purposes. Permit No. 5734-3, with a priority date of December 14, 1992 was approved March 24, 1993 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 24, 1998 and for the application to beneficial use of said water on or before March 24, 2002.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.02 cubic feet of water per second for beneficial use. The location of the diversion point is ≈ 460'W and ≈ 1,650'N of the SE corner of Section 4, T110N, R61W (NE ¼ SE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. Water is used on-site for non-potable uses such as weed spraying and sanitary purposes.

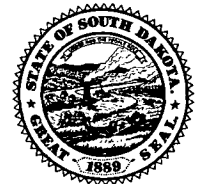
(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Huron, PO Box 1369, Huron, SD 57350-1369 the holder and/or owner of Water Right No. 5734-3 is issued a license to appropriate water, the right to use 0.02 cubic feet of water per second from ground water (one well) with a priority date of December 14, 1992 from the location specified in (2) of this license. The water is used for municipal purposes (non-potable). This license is subject to any limitations or qualifications listed in Water Right No. 5734-3 and subject to South Dakota State Law.



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

AUG 22 2001

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

August 8, 2001

5734-3

Paullyn Carey, Finance Officer
City of Huron
PO Box 1369
Huron, SD 57350-1369

Dear Ms. Carey:

On June 26, 2001, the investigation of the water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5734-3, was completed by Ron Duvall, a staff engineer with our program. Ron met with Vince Juelfs to inspect the well and system used at the wastewater treatment facility.

The final water right document, the water license, can now be issued. State law requires 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 complete processing the water license. The check or money order for the fee should be made payable to the "Water Rights Program".

The licensed water right will be similar to a property right that can not be lost as long as the water use continues and the city abides by the permit requirements.

If you have any questions regarding the water permit, investigation of the water use system or payment of the fee, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

416887

Pierre, August 15, 20 01

RECEIVED OF City of Huron, City Finance Office, PO Box 1369, Huron, SD 57350-1369
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 5734-3

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Garland Erbele

Chief Engineer

Garland Erbele





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

AUG 22 2001

5734-3

Paullyn Carey, Finance Officer
City of Huron
PO Box 1369
Huron, SD 57350

Dear Ms. Carey:

Enclosed is Water License No. 5734-3. This is the final water right document completing the city's process of obtaining a Water Right. Enclosed is Receipt No. 416887 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. 5734-3, 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 the city uses the water beneficially, as stated in the Water License, State Water Laws provide that they have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

gm
enclosures