

WATER PERMIT NO. 5758-3

Phone: 446-3811

Name of Applicant: City of Colton

Post Office Address: Box 66, Colton SD 57018

Amount of Water Claimed: 0.33 add'l Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: municipal County: Minnehaha

About _____ miles _____ of _____

PRIORITY Date Received: 3-1-93 Fee: \$225.00 Remarks: _____

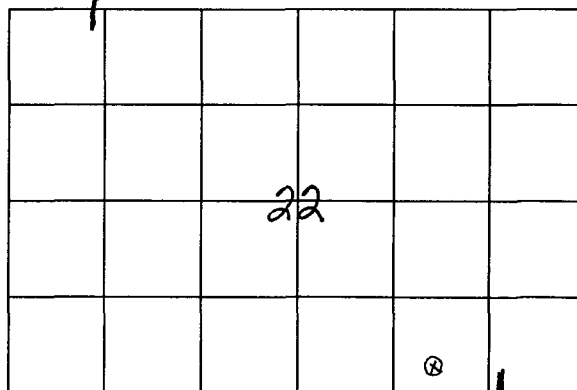
Corrected Application Received: 3-10-93 Period of Annual Use: Jan 1 - Dec 31

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

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

Diversion Point: SE 1/4 SE 1/4 Sec 22-T104N-R51W

Land to be Irrigated: _____



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

Depth of Well: 26 feet REMARKS: _____

Type of Map: serial PREPARED BY: Greg Johnston Reviewed and the Number

Assigned on: 3-11-93 By: Karen Schlaak

FORM 2: Application for uses other than irrigation

(type or print)



Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 5758-3 Hydrologic Unit 10170203
Basin Big Sioux River
Newspaper Dell Rapids Tribune, Box 99 57022
428-5441 (office use only)

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

Check use of water:

☒ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☐ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☐ Domestic ☐ Industrial ☐ Other _____
(over 18 gpm)

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- Name of Applicant City of Colton Phone 446-3811
Mailing Address Box 66 Colton, SD 57018 State _____
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 0.33 (add'l) *CFS or 150 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Groundwater - Pleistocene Unnamed (PSU)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) One well located
in the SE1/4 SE1/4 Section 22-T104N-R51W
- County Minnehaha
- County or counties where water will be used Minnehaha
- Annual period during which water is to be used January 1 to December 31

7. Give a description of the 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)

One well drilled in 1991 as a replacement supply well for the city of Colton. City currently permitted for 0.72 cfs (0.72 cfs under Vested Right No. 4000-3 (0.50 cfs) and Water Permit No. 4001-3 (0.22 cfs). Both wells under 4000-3 and 4001-3 were plugged in December of 1991. Water Permit No. ~~5515-3~~ appropriates up to 0.72 cfs under Nos. 4000-3 and 4001-3. This application is for additional 0.33 cfs under the replacement well not covered under Nos. 4000-3 and 4001-3. diverted from

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of Minnehaha)^{ss}

I, William H. Colton, 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 William H. Colton

Subscribed and sworn to before me this 24 day of February 19 93

Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 5758-3**

Date of first receipt of application March 1, 1993.

Date of return to applicant for corrections, amendments or changes March 2, 1993.

Date of receipt of corrected application March 10, 1993.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5758-3 to City of Colton, Box 66, Colton SD 57018 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. 5758-3 appropriates 0.33 cubic feet of water per second (cfs) from one existing well (Colton Aquifer) 26 feet deep located in the SE 1/4 SE 1/4 Section 22-T104N-R51W. The city currently holds Water Permit No. 5515-3 for a well located in the SE 1/4 SE 1/4 Section 22-T104N-R51W. Permit No. 5515-3 authorized the additional diversion point for Vested Water Right No. 4000-3 and Water Permit No. 4001-3 which combined appropriated 0.72 cfs from two wells located in the NE 1/4 NE 1/4 Section 27-T104N-R51W which were to remain as standby wells. The city plugged these two wells and subsequently drilled a new well in the SE 1/4 SE 1/4 Section 22-T104N-R51W. This permit appropriates an additional 0.33 cfs from the new well authorizing the city a total permitted diversion rate of 1.05 cfs.
2. The water appropriated shall be used for the purpose of supplying water to the City of Colton and may not exceed the amount of water needed for beneficial use for municipal 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. 5758-3 is May 5, 1993.
5. The dates from which applicant may claim right are:
March 1, 1993 - (0.33 cfs established by Permit No. 5758-3)
February 22, 1977 - (0.22 cfs established by Permit No. 4001-3)
January 1, 1947 - (0.5 cfs established by Right No. 4000-3)
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

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

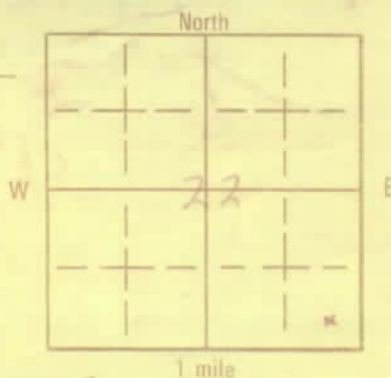
JUN 11 1993
date

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SE 1/4 SE 1/4 Sec 22 Twp 104N Rg 51 WCounty Minnepaha

Please mark well location with an "X"

Well Completion Date 5-6-91

PROPOSED USE:

☐ Domestic ☒ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock
Method of Drilling: False casing

CASING DATA:

☒ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>50</u> LB/FT	<u>12</u> IN	<u>4</u> FT	<u>7</u> FT	<u>24</u> IN
<u>1200</u> LB/FT	<u>PVC</u> IN	<u>7</u> FT	<u>26</u> FT	<u>24</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 5-14' FEETWhat is grouting material? CEMENTIf cement, number of sacks? 22 BAGSDescribe grouting procedure TRENCH IN CEMENT 5 1/2 gallons water to bag mix

What was grout weight? _____ LB/GAL

SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 12 IN Length 8 1/2 FEETMaterial PVCSlot Size 080 Set From 18 Feet To 26 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain chlorinated packer casingBacteriological analysis ☐ YES ☒ NOLaboratory sent to city will sample it

Well Owner:

Name City of CottonAddress City Hall, Cotton, S.D.Well Log: 57018

Depth

Formation	From	To
<u>Black topsoil</u>	<u>0</u>	<u>2</u>
<u>Tight yellow clay</u>	<u>2</u>	<u>14</u>
<u>Yellow Gravel</u>	<u>14</u>	<u>18</u>
<u>Brown Gravel</u>	<u>18</u>	<u>24</u>
<u>Gray Gravel</u>	<u>24</u>	<u>26</u>

STATIC WATER LEVEL 5'4" Feet

If flowing, closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed☐ OtherDescribe: Developed

Pumping Level Below Land Surface

19 ft. After 2 Hrs. pumped 180 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS: - WELL will be bailed up and casing will be 4' above ground to eliminate possibility of flooding. Should we have heavy rain thenThis well was drilled under license # 144

And this report is true and accurate.

Drilling firm Lacey Well Drilling

Signature of License Representative:

James Lacey

Signature of Well Owner:

City of CottonDate May 9, 1991

RECEIPT

413668

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 10, 19 93

RECEIVED OF City of Colton, Colton, SD 57018

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

Fee for Application for Permit No. <u>5758-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	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	225 00

By John H. H. H.
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

July 3, 1991

City of Colton
Linda Westberg
PO Box 66
Colton SD 57018

Dear Ms Westberg:

This letter is a follow up to our phone conversation this morning. I'm forwarding some information about replacement wells and what must be done to a well if it is abandoned or not being used.

1. In order for a well to qualify as a replacement well, and not require a permit, it must be located within 660 feet of the well it is replacing, must be drawing water from the same aquifer, and the new well's pumping rate must not exceed the rate of the well it replaced.
2. If your new well was drilled as a replacement well, and you do not plan to use the old well, the old well is considered abandoned. All abandoned wells must be plugged by a licenced well driller. If the old well is not abandoned, but not being used, the well must be sealed or capped at the surface until such time that it is used.

I'm enclosing some permit application forms and instruction sheets in case you need them. If you have any questions, or if I can help in any way, please call me at 773-3352.

Sincerely,

DON FRYE, Natural Resources Analyst
Water Rights Division
enclosure

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: City of Colton

ADDRESS: _____ COUNTY: Minnehaha

DATE: 9/12/91 TELEPHONE: 446-3219

RE: Phone conversation with Mayor Van Helden

COMMENTS:

I called Mayor Van Helden regarding the City of Colton's recent water permit application. I first asked him how far the new well is from the old wells which are to be abandoned to determine if the well could be considered a replacement well. The Mayor told me that the new well was greater than 660 feet from the wells which are to be abandoned and is 60 feet away from the well constructed in the late 1980's permitted under WP No. 5515-3. Since the new well is greater than 660 feet away from the well permitted by VR No. 4000-3 and 4001-3 a permit for a change of diversion point is necessary.

Also, the application stated the new well is capable of diverting 200 gpm. The application for the well permitted by WP No. 5515-3 stated that well was capable of diverting 270 gpm. Combined, these two diversion rates would be greater than 323 gpm (0.72 cfs) currently permitted by the city. Mayor Van Helden indicated that the city would like to be able to divert 470 gpm which would also constitute a new appropriation of water on the application.

I told the Mayor that we would send him a letter on what additional information we need to complete the application.

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 Hanelund

South Dakota



GREAT FACES. GREAT PLACES.

September 13, 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE SOUTH DAKOTA 57501-3181

City of Colton
Mayor Cornie Van Helden
Box 66
Colton SD 57018

Dear Mayor Van Helden:

In regard to the water permit application received on September 5, 1991, the following information needs to be submitted in order to process the City's application.

1. A map showing the location of the diversion point (place where the well is located) in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).
2. On Item No. 4 of the application, please indicate the quarter-quarter of Section 22 where the well is located.
3. The application must be signed by a notary public.
4. The filing fee for an appropriation of 0.33 cfs of water will be \$225.00.

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

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 6, 1991

City of Colton
Mayor Cornie Van Helden
Box 66
Colton SD 57018

Dear Mayor Van Helden:

On September 5, 1991, you submitted an application (copy enclosed) for a permit to appropriate water for the City of Colton. You were notified on September 13, 1991 (copy enclosed) that the application was incomplete and were instructed what additional information was necessary in order to complete the application. To date, we have not received a response from you.

Obtaining a water permit ultimately benefits the City by protecting it's right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, the City must have a water permit prior to using water.

If you have any questions, please contact Eric Gronlund of this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
(605) 773-3352

enclosure

File No. 4000-3, 4001-3 and 5515-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: **City of Colton c/o Mark Volden -**

Utilities Superintendent

ADDRESS: **Box 66 Colton, SD 57018**

COUNTY: **Minnehaha**

DATE: **12/15/92**

TELEPHONE: **446-3811**

RE: **Water Permits for city of Colton**

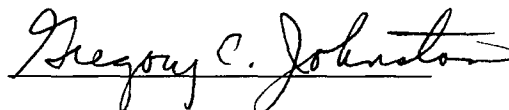
COMMENTS:

Inspected water supply system for the city of Colton on August 3, 1992. Two wells covered under Vested Right No. 4000-3 (0.50 cfs - January 1, 1947) and 4001-3 (0.22 cfs - February 22, 1977) were to be used as standby wells, but were plugged in December of 1991. Currently, one well under Water Permit No. 5515-3 with a priority date of February 22, 1977 is being used in addition to a new well drilled in May, 1991.

Water Permit No. 5515-3 was not to exceed 0.72 cfs (from Nos. 4000-3 and 4001-3). After discussion with Ron Duvall and Eric Gronlund, it was decided that Water Permit No. 5515-3 should be reissued to include the priority date under Vested Right No. 4000-3.

The new well is within 660 feet of the original well under 4000-3 and can be considered a replacement well for No. 4000-3. If the combined diversion rate from the two working wells does exceed the 0.72 cfs, then the city needs to apply for that additional water and the appropriation will be assigned a new priority date.

I've sent a letter and water permit application form to Mark Volden, Utilities Superintendent, of Colton.



Gregory C. Johnston
Natural Resources Engineer
DENR, Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 15, 1992

Mr. Mark Volden
Utilities Superintendent
City of Colton
Box 66
Colton, SD 57018

Dear Mr. Volden:

This letter is in regards to the inspection of the city's water permits on August 3, 1992.

Water Permit No. 5515-3 with a priority date of February 22, 1977 added one diversion point to supply the city's water system. This existing additional well, 32' deep, is located in the SE1/4 SE1/4 Section 22-T104N-R51W. The water was supplied by Vested Right No. 4000-3 and Water Permit No. 4001-3. Vested Right No. 4000-3 claims 0.5 cfs of water per second (cfs) from one well, 34' deep, located in the NE1/4 NE1/4 Section 27-T104N-R51W, with a claimed priority date of January 1, 1947. Permit No. 4001-3 appropriates 0.22 cfs from a well, 38 feet deep, also located in the SE1/4 SE1/4 Section 27-T104N-R51W with a February 22, 1977 priority date.

The two wells authorized by Vested Right No. 4000-3 and 4001-3 were to be used as standby supply wells, but both were plugged in December of 1991. The city has also drilled a new well in May, 1991 located in the SE1/4 SE1/4 Section 22-T10N-R51W. The new well is within 660' of the well located under Vested Right No. 4000-3; therefore, the well can be considered a replacement well for No. 4000-3. The total amount of water permitted for the city is 0.72 cfs (324 GPM) from the two wells. If the total capacity of the two supply wells is greater than 0.72 cfs, then the city needs to apply for that additional amount of water. On the inspection sheet you noted that each well was capable of 180 GPM or a total of 360 GPM (0.80 cfs). However, on the original application for 5515-3, it was noted that the well under 5515-3 was capable of pumping 270 GPM. Which amount is the actual capacity of the well? Please call me and we'll get the details worked out.

Enclosed is a water permit application for any additional amount of water that may be needed. When you call me, we can determine if you need to complete the application. I will assist you at that time.

Sincerely,

Gregory C. Johnston
Natural Resources Engineer II
Water Rights Division
605 773-3352

encl



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 11, 1993

Mark Volden, Utilities Superintendent
City of Colton
Box 66
Colton SD 57018

Dear Mr. Volden:

On December 15, 1992, you were sent applications forms for a permit to appropriate water based on an inspection of Water Permit No. 5515-3 by Greg Johnston, an engineer with this office. This inspection showed that the City of Colton's system was not developed as originally permitted. This application is necessary to obtain a permit which will reflect the City's water use. To date, we have not received a response from you regarding this application.

Enclosed is another set of partially completed application forms. Please review the application and have it signed and notarized. The December 15, 1992 letter from Mr. Johnston requested information regarding the amount of additional water to be requested on this application. Subsequently, file documentation was found concerning a conversation Eric Gronlund, with this office, had with Cornie Van Helden stating that amount of additional water to be requested should be 150 gallons per minute. That figure has been inserted in the application. If you do not agree with this amount, please make the necessary corrections.

Obtaining water permits that accurately reflect your water use ultimately benefits you by protecting your right to use water. Water Permit No. 5515-3 can not be licensed until this application is processed and a permit obtained to reflect current water use in accordance with state statutes. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

Sincerely,

Karen Schlaak
Natural Resources Analyst
Phone: (605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 2, 1993

City of Colton
Mark Volden, Utilities Superintendent
Box 66
Colton SD 57018

Dear Mr. Volden

We received the City of Colton's water permit application on March 1, 1993. The filing fee based on the amount of water claimed, will be \$225.00.

Upon receipt of the fee, 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

APPLICATION REPORT NO. 5758-3
City of Colton
March 29, 1993

Application No. 5758-3 proposes to appropriate 0.33 cubic feet per second (cfs) of water from one well (Colton Aquifer), 26 feet deep, located in the SE1/4 SE1/4 of Section 22-T104N-R51W. The city currently holds Water Permit No. 5515-3 for a well located in the SE1/4 SE1/4 Section 22-T104N-R51W. Permit No. 5515-3 authorized an additional diversion point to Vested Right No. 4000-3 and Water Permit No. 4001-3. Vested Right No. 4000-3 and Water Permit No. 4001-3 appropriated a total of 0.72 cfs from two wells located in the NE1/4 NE1/4 Section 27-T104N-R51W which were to remain as standby wells. However, the city plugged these two wells and subsequently drilled a new well in the SE1/4 SE1/4 Section 22-T104N-R51W. This application, if approved, would appropriate an additional 0.33 cfs from this new well authorizing the city a total permitted diversion rate of 1.05 cfs. The water is to be used for municipal purposes by the city.

Aquifer - Colton Aquifer

The Colton Aquifer consists of glacial outwash (sands and gravels) under artesian conditions at the application site. The aquifer underlies eight square miles (5120 acres) near Colton Creek in northwestern Minnehaha County (Lindgren and Niehus, 1992). The aquifer is probably hydraulically connected to Colton Creek and predominantly under water table conditions. The average cumulative thickness of the aquifer is 12 feet and the estimated volume of water in storage is 10,000 acre-feet (Lindgren and Niehus, 1992). Recharge to the aquifer is from direct infiltration of precipitation to the aquifer. Recharge to the aquifer has not been quantified.

The Division of Water Rights does not maintain any observation wells in the Colton Aquifer. However, Lindgren and Niehus (1992) noted that three observation wells existed in the Colton Aquifer and that the water levels fluctuated in these wells as a result of seasonal changes in recharge.

Existing Water Rights/Permits

There are three municipal Water Rights/Permits authorized to appropriate water from the Colton Aquifer. These are the only Water Rights/Permits issued in the Colton Aquifer and they are all held by the city of Colton. The total amount of water appropriated from the aquifer is 0.72 cubic feet per second (cfs). There are no pumping records available for the city of Colton, and estimated use by the city (assuming that 60% of the full time pumping amount is diverted) equals 313 acre-feet.

The city of Colton has been diverting water from the Colton Aquifer for several years and there have been no complaints of interference from nearby adequate domestic well owners. Interference should not be a problem.

Conclusions

1. Water is available from the Colton Aquifer. The aquifer contains an estimated 10,000 acre-feet of water in storage. Recharge has not been quantified in the Colton Aquifer at this time.
2. Interference is not expected to be a problem. The only other permitted diversions in the Colton Aquifer are for the city of Colton.
3. The well is constructed in accordance with South Dakota Well Construction Standards.



Gregory C. Johnston
Natural Resources Engineer II

Reviewed By:



Gale Selken, P.E.
Natural Resources Engineer IV

BIBLIOGRAPHY

Lindgren, R.J., Niehus, C.A., Water Resources of Minnehaha County, South Dakota, USGS Water Resources Investigations Report 91-4101

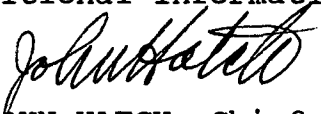
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5758-3, City of Colton

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. 5758-3, City of Colton, c/o Mayor Cornie Van Helden, Box 66, Colton, SD 57018.

The Chief Engineer is recommending APPROVAL of Application No. 5758-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

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

See report on application for additional information.


JOHN HATCH, Chief Engineer
March 30, 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.**

March 31, 1993

Cornie Van Helden, Mayor
City of Colton
Box 66
Colton, SD 57018

Dear Mayor Van Helden:

Water Permit Application No. 5758-3 for municipal 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 Dell Rapids Tribune printed at Dell Rapids, SD (Ph # 428-5441). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

cc: Mark Volden, UM, City of Colton, Box 66, Colton, SD 57018



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 31, 1993

Dell Rapids Tribune
Box 99
Dell Rapids, SD 57022

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5758-3 to be published twice. Please publish the first notice on April 7, 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 Colton, Box 66, Colton, SD 57018 (Ph # 446-3811).

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
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 April 7,
publication 7 days later. The applicant is responsible for

1993, with the second
payment.

NOTICE OF HEARING on Application No. 5758-3 ~~to~~ Appropriate Water

Notice is given that the City of Colton, Box 66, Colton, SD 57018 has filed an application for a water permit to appropriate 0.33 cubic feet of water per second (cfs) from one existing well (Colton Aquifer), 26 feet deep, located in the SE 1/4 SE 1/4 Section 22-T104N-R51W. The city currently holds Water Permit No. 5515-3 for a well located in the SE 1/4 SE 1/4 Section 22-T104N-R51W. Permit No. 5515-3 authorized this additional diversion point for Vested Water Right No. 4000-1-33 and Water Permit No. 4001-3 which combined, appropriated 0.72 cfs from two wells located in the NE 1/4 NE 1/4 Section 27-T104N-R51W which were to remain as standby wells. However, the city plugged these two wells and subsequently drilled a new well in the SE 1/4 SE 1/4 Section 22-T104N-R51W. This application, if approved, would appropriate an additional 0.33 cfs from the new well authorizing the city a total permitted diversion rate of 1.05 cfs. The water is for municipal use by the city.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends ~~APPROVAL~~ of Application No. 5758-3 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 April 22, 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, May 5, 1993, Floyd Matthew Training Center, Foss Building, 523 East Capitol, Pierre, SD. If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The May 5, 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 April 26, 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 G. Ironlund by April 26, 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 hearing impaired or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-19, 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.

Colton

NOTICE OF HEARING
on Application No. 5758-3
to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends Approval of Application No. 5758-3 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.

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PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Minnehaha) ss

I, Brenda Phelps

certify that the attached printed Notice was
 taken from the Deer Rapids
Tribune

printed and published in Deer Rapids

County of Minnehaha and State of

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

April 7, 1993
April 14, 1993

Cost of Printing: 64.55

Brenda Phelps
 (Signature)

Legal Typist
 (Title)

April 14, 1993
 (Date Signed)

Subscribed and sworn before me this
 14th day of April, 1993.

Carolyn L. Lamberty
 Notary Public in and for the County
 of Minnehaha, South Dakota.
 My Commission expires 11-5-98.





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 11 1993

Cornie Van Helden, Mayor
City of Colton
Box 66
Colton, SD 57018

Dear Mayor Van Helden:

Enclosed is Water Permit No. 5758-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

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

enclosures

c: Mark Volden, UM, City of Colton, Box 66, Colton, SD 57018

Permit No. 5758-3 (5515-3, 4000-3, 4001-3)

Big Sioux River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

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

I have this day made a thorough examination of the water use system constructed by city of Colton of Box 66 Colton, SD 57018 holder of Permit No. 5758-3 and 5515-3, bearing the priority of No. 5758-3 is May 5, 1993/ No. 5515-3 - 0.22 cfs is February 22, 1977 (from No. 4001-3) and 0.50 cfs is January 1, 1947 (from No. 4000-3) authorizing the diversion of 0.33/0.72 cu. ft. per second of the waters of the Colton Aquifer for municipal purposes, in Minnehaha County.

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

A. Works used to divert the water:

Two wells - Well No. 1 is 32.5' deep with 27' of 12" black pipe casing and 5.5' of .080 slot stainless steel screen; Well No. 2 is 26' deep with 18' of 12" PVC casing and 8' of .080 slot PVC screen - both wells have Grundfos submersible pumps, Model No. 135575-4, 6", unknown No. stages, 324/135 GPM @ 60 PSI each. Both have 7.5 HP motors with same Model No. as pumps.

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

150' of 3" and 3341' of 6" PVC

C. Works used to apply water to beneficial use:

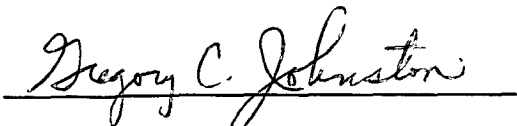
City of Colton water supply - System consists of treatment house and 70,000 gallon tower with 50,000 gallons in tower and 20,000 gallons in standby pipe.

The system is in the following condition good. The point of diversion is located Well No. 1 is 650'W and 400'N and Well No. 2 is 540'W and 425'N both from the SE corner of Section 22-T104N-R51W. The works are capable of diverting and conveying to the place of use 1.05 (0.72 cfs from No. 5515-3) and 0.33 cfs from No. 5758-3 cu. ft. per second of water which is to be used for municipal use. Water has been put to beneficial use.

The license should be issued for 1.05 (0.72/0.33) cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: none Date: 9/17/92



Gregory C. Johnston

Natural Resources Engineer II

DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 5758-3

DATE: 9/17/92

Other permit(s) associated with the project: 4000-3, 4001-3, 5515-3

DIVERSION POINT LEGAL LOCATION: Well No. 1 (No. 5515-3) is 650'W and 400'N and Well No. 2 (No. 5758-3) is 540'W and 425'N both from the SE corner of Section 22-T104N-R51W

WELL INFORMATION:

- 1) Well Drilling Firm: Lacey Well Drilling
- 2) No. of Wells 2
- 3) Depth(s) 32.5/26 feet
- 4) Well log is available Y/N Y
- 5) Comment:

Casing:

- 1) Diameter both 12 inches
- 2) Length 27/18 feet
- 3) Type black pipe/PVC

Screen:

- 1) Type .080 slot SS/.080 slot PVC
- 2) Length 27/18 feet
- 3) Static water level 5.5/8 feet

Pump:

- 1) Make Grundfos (both)
- 2) Model 135575-4
- 3) Size 6 inches
- 4) Capacity 324/135 GPM

Motor:

- 1) Make Grundfos (both)
- 2) Model No. 135575-4
- 3) Horsepower rating 7.5 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type Plastic
- 2) Size 3/6 inches
- 3) Length 150/3341 feet

SYSTEM TYPE:

City of Colton Water Supply - system consists of treatment house and 70,000 gallon tower with 50,000 gallons in tower and 20,000 gallons in standby pipe

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y/N N

PERMIT QUALIFICATIONS AND REGULATIONS:

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

Permit No. 5515-3 authorizes an additional diversion point (Well No. 1) to supply the city's water system. This permit does not authorize any additional appropriation of water above the 0.72 cfs authorized from Vested Right No. 4000-3 (0.5 cfs) and Water Permit No. 4001-3 (0.22 cfs). Water Permit No. 5758-3 authorizes 0.33 cfs from well No. 2. The total permitted diversion rate from these two wells is 1.05 cfs for the city of Colton.

102.9 City of Colton 86.4

Drawn by: Gregory C. Johnston
Natural Resources Engineer
Water Rights Division, DENR
Based on Inspection
2/3/92

N
1" = 754'

T2920

SECTION 22-T104N-R51W

SE 1/4 SE 1/4

Well 5515
New
Well

No. 4000-3
No. 4001-3
(both plugged
12/91)

SECTION 27-T104N-R51W

NE 1/4 NE 1/4

T2914

T2992

T2915

5758-3



NOT TO SCALE

②

Drawn by: Gregory C. Johnston

Gregory C. Johnston
Natural Resources Engineer II
Water Rights Division, DENR
7/14/93

①

Nos. 5758-3

5515-3

104-51

4000-3T-1002

4001-3

③

116-1
75.2 CITY OF COLTON

39.2

↑
1" = 754'

①

T2971

①

102.9

86.4

77.4

①

T2920

① 6.5

81.9

Section 22-T-104N-R51W

103

15.8

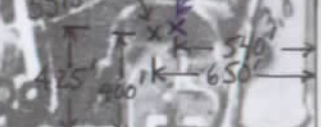
③

①

SE 1/4 SE 1/4 22-104-51

② (No. 2)
Well 5515-3

Well 5758-3 (No. 1)



②

T609

Section 27
T104N-R51W

NE 1/4 NE 1/4 27-104-51

* Well No. 40063*

* Well No. 4001-3

* City of Colton

* both wells plugged 12/91 by Larry Drilling

5758-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5758-3

(1) The City of Colton, Box 66, Colton SD 57018 made Application No. 5758-3, March 1, 1993 for a water permit to divert 0.33 cubic feet of water per second (cfs) from groundwater (one well), Minnehaha County, South Dakota for municipal purposes. Permit No. 5758-3, with a priority date of March 1, 1993 was approved May 5, 1993 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Permits associated with this water use system:

Water Right No. 4000-3 - with a priority date of January 1, 1947 authorizes 0.50 cfs from one well.

Water Permit No. 4001-3 - with a priority date of February 22, 1977 authorizes 0.22 cfs from one well.

Water Permit No. 5515-3 authorized an additional diversion point for Nos. 4000-3 and 4001-3 which combined appropriated 0.72 cfs. The two original wells were subsequently plugged.

Water Permit No. 5758-3 - with a priority date of March 1, 1993 authorized 0.33 cfs from a new well.

The applicable portions of Water Permit Nos. 4001-3 and 5515-3 are incorporated into Water License No. 5758-3.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.55* cubic feet of water per second for beneficial use. The location of the diversion points are Well #1 - 650 feet west and 400 feet north and Well #2 - 540 feet west and 425 feet north; both from the southeast corner of Section 22-T104N-R51W (SE 1/4 SE 1/4).

* The city diverts a total of 1.05 cfs from the two wells. The remaining 0.50 cfs is authorized under Vested Water Right No. 4000-3.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Colton, Box 66, Colton SD 57018 the holder and/or owner of Incorporated Water Permit No. 5758-3 is issued a license to appropriate water, the right to use 0.55 cubic feet of water per second from groundwater (two wells) with a priority date of February 22, 1977 (0.22 cfs) and March 1, 1993 (0.33 cfs) from the locations specified in (2) of this license, for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5758-3 and subject to South Dakota State Law.


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

SEP 8 1998

date



RECEIPT

413808

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, June 16, 19 93

RECEIVED OF City of Colton, Box 66, Colton, SD 57018

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5758-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By *John Hatch*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 8 1998

Kay Williams, Finance Officer
City of Colton
PO Box 66
Colton SD 57018-0066

Dear Ms. Williams:

Enclosed are Water License No. 5758-3, Reissued Vested Water License No. 4000-3 and the receipt for \$50.00 assessed for the investigation and issuance of the license. These licenses are the final documents completing the process of obtaining water rights.

As long as the City of Colton uses the water beneficially, as stated in the Water Licenses, State Water Laws provide that the City has a continuing right to use the water.

Very truly yours,

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

ks

enclosures