

WATER PERMIT NO. 5782-3

Phone: _____

Name of Applicant: McCook Lake Sanitary District

Post Office Address: Box 430, Jefferson SD 57038

Amount of Water Claimed: 0.24 cfs - 108 gpm Total Acres: NA

Source of Water Supply: groundwater (two wells)

Water to be used for: municipal County: Union

About 4 miles SE of Jefferson

PRIORITY Date Received: 8-12-93 Fee: \$225.00 Remarks: Increase the

diversion rate authorized by Water Permit No. 1646-3

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: SE 1/4 SE 1/4 Sec 4-T89N-R48W

Land to be Irrigated: _____

			4		
				8	

Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 108' REMARKS: logs not available

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

Assigned on: 8-13-93 By: Karen Schlaak

FORM 2: Application for uses other than irrigation

(type or print)

6J

Mail to:

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

No. 5782-3 Hydrologic Unit 10170101
Basin Vermillion River
Newspaper Elk Point Leader - Courier, Box 310
(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 McCook Lake Sanitary District Phone _____
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address Box 430 Jefferson State SD 57038
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 0.24 *CFS or 108 **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 Two wells - Missouri Aquifer-ElkPoint Management Unit
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____
Two wells located in the SE1/4 SE1/4 Section 4-T89N-R48W
County Union
- County or counties where water will be used Union
- Annual period during which water is to be used Year round Jan 1 - Dec 31
- 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)
Water Permit No. 1646-3 appropriates 0.9 cfs from two existing wells. This application is to appropriate an additional 0.24 cfs (108 GPM) from those two existing wells. The water is used for municipal purposes.

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 Union)^{ss}

I, Wayne Oothoudt, 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

Wayne Oothoudt

Subscribed and sworn to before me this 9th day of August 19 93

Marelle Cole

Notary Public

my commission expires 2-14-94

**SOUTH DAKOTA
WATER PERMIT NO. 5782-3**

Date of first receipt of application August 12, 1993.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5782-3 to McCook Lake Sanitary District, Box 430, Jefferson SD 57038 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. 5782-3 increases the diversion rate authorized by Water Permit No. 1646-3. Water Permit No. 1646-3 appropriates 0.9 cubic feet of water per second (cfs) [405 gallons per minute] from two wells (Missouri:Elk Point Aquifer) 108 feet deep located in the SE 1/4 SE 1/4 Section 4-T89N-R48W. This permit increases the water appropriation from the two wells, which are interconnected, from 0.9 cfs to 1.14 cfs (0.24 additional cfs) for a total diversion of 513 gallons per minute.
2. The water appropriated shall be used for the purpose of supplying water to the sanitary district 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. 5782-3 is November 15, 1993.
5. The date from which applicant may claim right is August 12, 1993.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

1. The wells 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

DEC 20 1993
date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 29, 1993

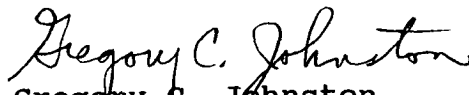
Mardelle Cole
McCook Lake, Route 2
Jefferson, SD 57038

Dear Ms. Cole:

This letter is in regards to our conversation concerning the need to apply for an additional 0.24 cubic feet second (108 gallons per minute) from the two existing wells utilized by the McCook Lake Sanitary District. Enclosed is the appropriate application form and instruction sheet. Please complete the application form, submit the necessary items and a \$225 application fee. These items must be sent to the address given on the instruction sheet.

Thank you for your time and attention to this matter, and if you have any questions, please feel free to contact me.

Sincerely,


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

enclosures

RECEIPT

41385.

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ August 12, 19 93

RECEIVED OF McCook Lake Sanitary District, Box 430, Jefferson, SD 57038

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

Fee for Application for Permit No. <u>5782-3</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 Hatcher
Chief Engineer

REPORT ON APPLICATION NO. 5782-3
for McCook Lake Sanitary District
October 1, 1993

Application No. 5782-3 proposes to increase the diversion rate authorized by Water Permit No. 1646-3. Water Permit No. 1646-3 appropriates 0.9 cfs (405 gpm) from two wells approximately 108 feet deep located in the SE 1/4 SE 1/4 of section 4, T89N R48W in Union County. This application increases the water appropriation by 0.24 cfs (108 gpm) from the two wells to 1.14 cfs (513 gpm). The water is for municipal use by the sanitary district.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is a buried glacial outwash (sand and gravel) and alluvium. The aquifer underlies 99,600 acres and contains an estimated 1.49 million acre feet of recoverable water in storage (Hedges, 1982). The aquifer is confined and under artesian at this site. However, other wells and test holes in the area to the south and west indicate that the aquifer is unconfined and under water table conditions. A report done for McCook Lake illustrates the variable nature of the sediments from the land surface down. Generally the major section of the aquifer begins at a depth of about 60 to 80 feet below land surface but sand layers are encountered above this zone (Iles, 1979). Iles basically considered all the ground waters interconnected for the purposes of his study. However, other observation well data for this area would indicate that separate water levels exist for the two portions of the aquifer and responses to pumping are obvious for the buried or confined portion of the aquifer. Undoubtedly leakage would occur from the upper to the lower portion of the aquifer depending upon the water levels at that particular time.

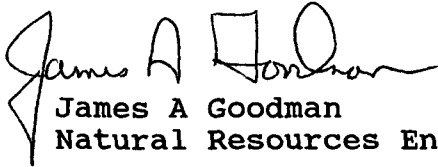
The Division of Water Rights monitors 8 observation wells within a 6-7 mile radius of this application. Water levels for these wells show good response to climatic conditions. That is, rising water levels during wet years and gradually declining water levels during dry years. The water levels record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1993).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing permitted diversion is about 1/2 mile north of this application. Interference is not expected to be a concern. Drawdown created by pumping is not significant and does extend very far from individual production wells. The relatively large size of the aquifer, the highly productive nature of the aquifer and the proximity to the Big Sioux and Missouri Rivers and to McCook Lake limit the amount of drawdown.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. Interference is not expected to be a concern. These are existing wells and have been in use for many years with no apparent problems.
3. This application proposes to increase the diversion rate from 0.90 cfs to 1.14 cfs from existing wells.
4. Not enough information is available to determine if these wells have been constructed 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.
- Iles, D.L., 1979, Ground-Water Study for Southern Union County, Open File Report No. UR-28, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Right, 1993, Unpublished Observation Well Records for Union County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5782-3, McCook Lake Sanitary District

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. 5782-3, McCook Lake Sanitary District, c/o Wayne Oothoudt, Box 430, Jefferson, SD 57038.

The Chief Engineer is recommending APPROVAL of Application No. 5782-3 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 wells 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
October 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.

October 15, 1993

Wayne Oothoudt
McCook Lake Sanitary District
Box 430
Jefferson, SD 57038

Dear Mr. Oothoudt:

Water Permit Application No. 5782-3 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 Elk Point Leader-Courier printed at Elk Point, SD (Ph # 356-2632). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 15, 1993

Elk Point Leader-Courier
Box 310
Elk Point, SD 57025

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5782-3 to be published twice. Please publish the first notice on October 28, 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 McCook Lake Sanitary District, Box 430, Jefferson, SD 57038.

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

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

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on October 28, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5782-3 to Appropriate Water
and Amend Water Permit No. 1646-3

Notice is given that McCook Lake Sanitary District, Box 430, Jefferson, SD 57038 has filed an application for a water permit to increase the diversion rate authorized by Water Permit No. 1646-3. Water Permit No. 1646-3 appropriates 0.9 cubic feet of water per second (cfs) [405 gallons per minute] from two wells (Missouri:Elk Point Aquifer) 108 feet deep located in the SE 1/4 SE 1/4 Section 4-T89N-R48W. This application increases the water appropriation from the two wells, which are interconnected, from 0.9 cfs to 1.14 cfs (0.24 additional cfs) for a total diversion of 513 gallons per minute. The water is for municipal use by the sanitary district.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5782-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 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. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Union) ss



I, Lester E. Emerson

certify that the attached printed Notice was

taken from the _____

The Leader-Courier

printed and published in Elk Point. S. D.

County of Union and State of

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

October 28, 1993

November 4 1993

Cost of Printing: 38.70

Lester E. Emerson
(Signature)

Publisher - Editor

(Title)

November 4 1993

(Date Signed)

NOTICE OF APPLICATION NO. 5782-3 TO APPROPRIATE WATER AND AMEND WATER PERMIT NO. 1646-3

Notice is given that McCook Lake Sanitary District, Box 430, Jefferson, SD 57038 has filed an application for a water permit to increase the diversion rate authorized by Water Permit No. 1646-3. Water Permit No. 1646-3 appropriates 0.9 cubic feet of water per second (cfs) [405 gallons per minute] from two wells (Missouri: Elk Point Aquifer) 108 feet deep located in the SE 1/4 SE 1/4 Section 4-T89N-R48W. This application increases the water appropriation from the two wells, which are interconnected, from 0.9 cfs to 1.14 cfs (0.24 additional cfs) for a total diversion of 513 gallons per minute. The water is for municipal use by the sanitary district.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5782-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 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. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.
Pub. Oct. 28 and Nov. 4



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 20 1993

Wayne Oothoudt
McCook Lake Sanitary District
Box 430
Jefferson, SD 57038

Dear Mr. Oothoudt:

Enclosed is Water Permit No. 5782-3 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

RECEIPT

413992

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ January 13, 19 94

RECEIVED OF McCook Lake Sanitary Dist, Box 430, Jefferson, SD 57033

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>5782-3</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

Permit No. 1646-3/5782-3
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 McCook Lake Sanitary District of Jefferson, SD 57038 holder of Permit No. 1646-3, bearing the priority of November 15, 1968 authorizing the diversion of 0.9 cu. ft. per second of the waters of the Missouri-Elk Point Aquifer for Suburban Housing purposes, in Union County.

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

A. Works used to divert the water:

Two wells - both 108' deep with 94.7/93 feet of 10" steel casing and both have 15' of stainless steel screen, Well No. 1 has a 10" Fairbanks Morse and Well No. 2 has a 6" Layne Minnesota pump, both have the same make pump as the motors and both are 10 HP

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

11,880' of 10", 4000' of 6" and 15,840' of 4" transite pipe

C. Works used to apply water to beneficial use:

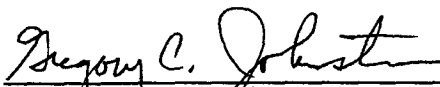
System is used as a water supply for suburban housing around McCook Lake - Includes 100,000 gallon storage tank and hook-ups to 361 residences

The system is in the following condition fair. The point of diversion is located Well No. 1 is 811'N and 790'W and Well No. 2 is 884'N and 772'W - both from the SE corner of Section 4-T89N-R48W. The works are capable of diverting and conveying to the place of use 1.14 cu. ft. per second of water which is to be used for suburban housing. Water has been put to beneficial use. The license should be issued for 1.14 cfs.

Applicable permit qualifications have been complied with: Yes Y No

Exceptions to compliance are: None

Date: 6/23/93



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

REPORT ON INSPECTION OF PERMIT NO. 1646-3/5782-3

DATE: 6/23/93

Other permit(s) associated with the project:

DIVERSION POINT LEGAL LOCATION: Well No. 1 is 811'N and 790'W; Well No. 2 is 884'N and 772'W - both from the SE corner of Section 4-T89N-R48W

WELL INFORMATION:

- 1) Well Drilling Firm: Unknown
- 2) No. of Wells 2
- 3) Depth(s) both 108 feet
- 4) Well log is available Y/N N
- 5) Comment:

Casing:

- 1) Diameter both 10 inches
- 2) Length 94.7/93 feet
- 3) Type both steel

Screen:

- 1) Type both stainless steel
- 2) Length both 15 feet
- 3) Static water level both 16 feet

Pump:

- 1) Make Fairbanks Morse/Layne Minnesota
- 2) Model both unknown
- 3) Size 10"/6"
- 4) Capacity 286/226 GPM

Motor:

- 1) Make Fairbanks Morse/Layne Minnesota
- 2) Model No. unknown
- 3) Horsepower rating both 10 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type transite
- 2) Size 10/6/4 inches
- 3) Length 11,880/4000/15,840 feet

SYSTEM TYPE:

System used for water supply for Suburban housing around MC Cook Lake - includes 100,000 gallon storage tank and hook-ups to 361 residences

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y/N N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 2) 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

McCook Lake Sanitary District is applying for an additional 0.24 cfs (180 GPM) from the two existing wells. At the time this appropriation is permitted, this second permit can be incorporated into 1646-3.

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5782-3

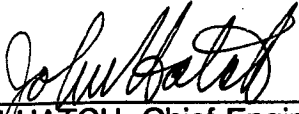
(1) McCook Lake Sanitary District of Box 430, Jefferson SD 57038 made Application No. 5782-3, August 12, 1993 for a water permit to appropriate an additional 0.24 cubic feet of water per second from groundwater (two wells), Union County, South Dakota for municipal purposes. Permit No. 5782-3, with a priority date of August 12, 1993 was approved November 15, 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.

Water Permit No. 5782-3 authorized an increase in the diversion rate authorized by Water Permit No. 1646-3. Water Permit No. 1646-3 appropriates 0.9 cfs with a priority date of November 15, 1968. Water Permit No. 5782-3 increased the water appropriation from the two wells, which are interconnected, from 0.9 cfs to 1.14 cfs. The additional 0.24 cfs has a priority date August 12, 1993.

The applicable portions of Water Permit No. 1646-3 have been incorporated into this Water License No. 5782-3.

(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 1.14 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 is 811 feet N and 790 feet W and Well #2 is 884 feet N and 772 feet W both from the SE corner of Section 4-T89N-R48W (SE 1/4 SE 1/4).

(3) Pursuant to South Dakota Water Law 46-5-30.1 McCook Lake Sanitary District of Box 430, Jefferson SD 57038 the holder and/or owner of Incorporated Water Permit No. 5782-3 is issued a license to appropriate water, the right to use 1.14 cubic feet of water per second from groundwater (two wells) with priority dates of November 15, 1968 and August 12, 1993 from the location specified in (2) of this license. The water to be used to supply water to the sanitary district for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5782-3 and subject to South Dakota State Law.



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

NOV 14 1994

date

NHEL

T-1447

NHEL

128.9

145.3

T-1327

1306.0

NO. 1646-3

31R

McCook Lake Sanitary District

Drawn by:

Gregory C. Johnston

Gregory C. Johnston

Natural Resources Engineer II

Water Rights Division, DENR

7/23/93

N
1"=660'

T-1278

Cotton Pipe
IRRIGATED

NHEL

54.5

T-2576

NHEL

117.3

T-227

NHEL

121.2

1165.1

4

T-220

T-187

NHEL

138.5

T-211

NHEL

140.4

NC

NHEL

133.2

89-48

31R

884' 811'

Well No. 2 (Inside Bldg)

McCook Lake
Sanitary
District
Bldg

772'
790'

5782-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 14 1994

5782-3

Wayne Oothoudt
McCook Lake Sanitary District
Box 430
Jefferson, SD 57038

Dear Mr. Oothoudt:

Enclosed is Water License No. 5782-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413992 in the amount of \$50.00 which you paid for the inspection 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. 5782-3, 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 Division
(605) 773-3352

rd
enclosures

NOTE: The applicable portions of Water Permit No. 1646-3 have been incorporated into this Water License No. 5782-3.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 9, 2002

5782-3

Liesel L Hallwas, Mayor
City of North Sioux City
PO Box 338
North Sioux City, SD 57049

Dear Ms. Hallwas:

I am contacting you in regard to ownership of Water Right No. 5782-3. The water right is currently listed in the name of McCook Lake Sanitary District (see enclosed copy). It is my understanding that the water right should now be listed in the city's name.

Enclosed is a partially completed Notice of Transfer of Ownership form for use in filing the ownership change. Please review the form and have it signed in the presence of a notary public. Upon completion, please return the form to us with a filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions or if you would prefer the water right be left in the name of the McCook Lake Sanitary District, please let me know.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 13, 2002
VIA FACSIMILE

5782-3

Craig Carroll
North Sioux City Public Works
205 Parkside Avenue
North Sioux City, SD 57049

RE: Transfer of Water Right No. 5782-3

Dear Mr. Carroll:

Thank you for submitting the Notice of Transfer of Ownership form for changing ownership on Water Right No. 5782-3 - McCook Lake Sanitary District.

Prior to filing the ownership change, a \$2.50 filing fee is required. Your letter mentions the fee, however the check was not enclosed with the transfer form. As soon as we receive the filing fee, the transfer will be processed. The check or money order for the fee can be made payable to the Water Rights Program.

Sincerely,

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

CITY OF NORTH SIOUX CITY
P.O. Box 1845
North Sioux City, SD 57049-1845

RECEIVED

MAY 13 2002

**WATER RIGHTS
PROGRAM**

Phone:
(605) 232-4276

Fax:
(605) 232-0506

Genny McMath, Environmental Scientist
Water Rights Program
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

RE: Transfer of Water Right No. 5782-3

Ms. McMath:

Per your correspondence, I am returning a completed Notice of Transfer of Ownership form that specifies the change of ownership of Well #1 and Well #2. The water rights for these two wells are currently under the McCook Lake Sanitary District. This letter is to clarify that the water rights of these wells are being transferred from the McCook Lake Sanitary District to the City of North Sioux City. Please find enclosed a check for \$2.50 to cover the filing fee.

If you have any questions or need to discuss this matter further, please contact me at the number listed below.

Sincerely,



Craig Carroll
North Sioux City Public Works
205 Parkside Avenue
North Sioux City, SD 57049
(605) 232-9165

CITY OF NORTH SIOUX CITY

P.O. Box 1845
North Sioux City, SD 57049-1845

Phone:
(605) 232-4276

Fax:
(605) 232-0506

Genny McMath, Environmental Scientist
Water Rights Program
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

RE: Transfer of Water Right No. 5782-3

Ms. McMath:

City of
Per your correspondence, I am enclosing a check in the amount of \$2.50 to cover the filing fee for the transfer rights that concern Well #1 and Well #2, which are currently under the McCook Lake Sanitary District. The City requests the water rights of these wells be transferred from the McCook Lake Sanitary District to the City of North Sioux City.

If you have any questions or need to discuss this matter further, please contact me at the number listed below.

Sincerely,

Renee Zepeda for
Craig Carroll
North Sioux City Public Works
205 Parkside Avenue
North Sioux City, SD 57049
(605) 232-9165

RECEIVED

JUN 21 2002

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 5782-3

RECEIVED

MAY 13 2002

Date: 5-6-02

WATER RIGHTS
PROGRAM

I/We request that Water Right No. 5782-3

formerly owned by: McCook Lake Sanitary District

be transferred to: (name & address) City of North Sioux Box 338

North Sioux City S.D. 57049

Telephone No. 605-232-9165

Title to the following described land(s)/property has been transferred as described above:

diversion point locations: two wells located in the SE 1/4 SE 1/4 Section 4, T89N, R48W

I/We understand that the validity of Water Right No. 5782-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Union)

I/~~we~~ Liesel Hallwas being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Liesel Hallwas

(Signed by new owner)

Subscribed and sworn to before me this 6th day of May, 20 02

W. J. Just

(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT
Water Rights Program
South Dakota Department of Environment and Natural Resources

417193

Pierre, June 21, 20 02

RECEIVED OF City of NorthSioux City, PO Box 1845, North Sioux City, SD 57049-1845
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. _____		
Fee for Filing Transfer Form <u>5782-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By Harland E. Ebel
Chief Engineer gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 26, 2002

5782-3

Liesel L Hallwas, Mayor
City of North Sioux City
PO Box 338
N Sioux City, SD 57049

Dear Mayor Hallwas:

Thank you for following up on the ownership change for Water Right No. 5782-3. The transfer has been completed. The water right formerly listed in the name of McCook Lake Sanitary District is now held by the City of North Sioux City.

Enclosed is your Receipt No. 417193 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure