

WATER PERMIT NO. 5819-3

Phone: 225-7580

Name of Applicant: Bethesda Home of Aberdeen

Post Office Address: 1224 S High Street, Aberdeen SD 57401

Amount of Water Claimed: 0.11 cfs Total Acres: 20

Source of Water Supply: groundwater (4 wells)

Water to be used for: irrigation County: Brown

About in Aberdeen miles of

PRIORITY Date Received: 4-10-91 Fee: \$150 Remarks:

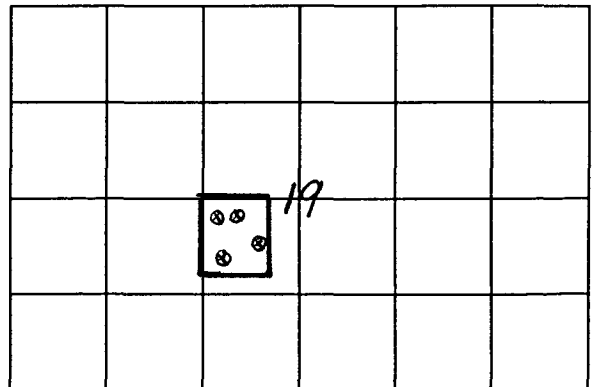
Corrected Application Received: Period of Annual Use: May 1 - Sept 30

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

WI-1 Description same as Application YES NO REMARKS:

Diversion Point: NW 1/4 SW 1/4 Sec 19-T123N-R63W

Land to be Irrigated: NW 1/4 SW 1/4 Sec 19-
T123N-R63W



Well Log: Driller: Olson Well Drilling Licensed YES X NO

Depth of Well: 42' to 90' REMARKS:

Type of Map: aerial PREPARED BY: Janell Telin, ASCS Reviewed and the Number

Assigned on: 4-21-94 By: Karen Schlaak

No. _____	Hydrologic Unit _____
Map No. _____	Basin _____
Newspaper _____	

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 ☒ Lawn Sprinkler☐ 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 BETHESDA HOME OF ABERDEEN Phone No. 605-225-7580Post Office Address 1224 South High Street, Aberdeen State S.D. 57401
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s) 10 gallons per minute per well (0.11 cfs)3. Source of water supply 5 new wells4. Location of point of diversion Outlots 1, 2 and 3 and area 306' x 366' between
center of Aldrich Street and the center of High Street South 12th Ave.
S.E. East 1/2 of SW 1/4 Sec. 19 TWP 123 Range 63 County Brown5. Counties where water will be used Brown6. Annual period during which water is to be used May through September³⁰

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)

Use of wells for irrigation of above described property

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

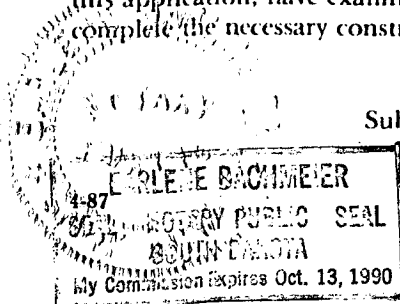
STATE OF SOUTH DAKOTA)
County of BROWN)^{ss}I, BETHESDA HOME OF ABERDEEN

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

Robert J. Hilde ADMINISTRATORSubscribed and sworn to before me this 9 day of April 1990Carlene Bachmeier

Notary Public



**SOUTH DAKOTA
WATER PERMIT NO. 5819-3**

Date of first receipt of application April 10, 1991.

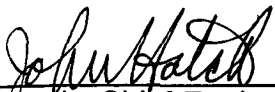
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5819-3 to Bethesda Home of Aberdeen, 1224 S High Street, Aberdeen SD 57401 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5819-3 appropriates 0.11 cubic feet of water per second (50 gallons per minute) from four wells (Elm Southern Brown Aquifer) approximately 38 feet to 67 feet deep located in the N 1/2 SW 1/4 Section 19 to irrigate 20 acres located in the N 1/2 SW 1/4 Section 19; all in T123N-R63W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - September 30.
3. The date from which applicant may claim right is March 11, 1994 (based on repeal of Soil/Water Compatibility permitting statutes set forth by passage of House Bill 1366).
4. The date of approval of Permit No. 5819-3 is June 20, 1994.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The 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.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

AUG 19 1994
date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 6 inch Depth 70 feet
- b) Casing Type Plastic Diameter 5 inch Thickness 1/4 inch
- c) Screen Type Metal Diameter 5 inch Thickness 1/8 inch
- d) Gravel Pack Thickness 1 inch Length of Gravel Pack 15 feet
- e) Depth to Top of Water Bearing Material 60 feet
- f) Depth to Water (ground surface to water level) 60 feet
- g) Distance to nearest existing domestic well:
- On applicants property yes On property owned by others none known

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

NA

NA

b) Freeboard NA

c) Crest Width NA

Crest Length NA

d) Height NA

e) Primary Outlet Capacity NA
If Pipe, diameter NA

f) Secondary Spillway Capacity NA
Spillway width NA

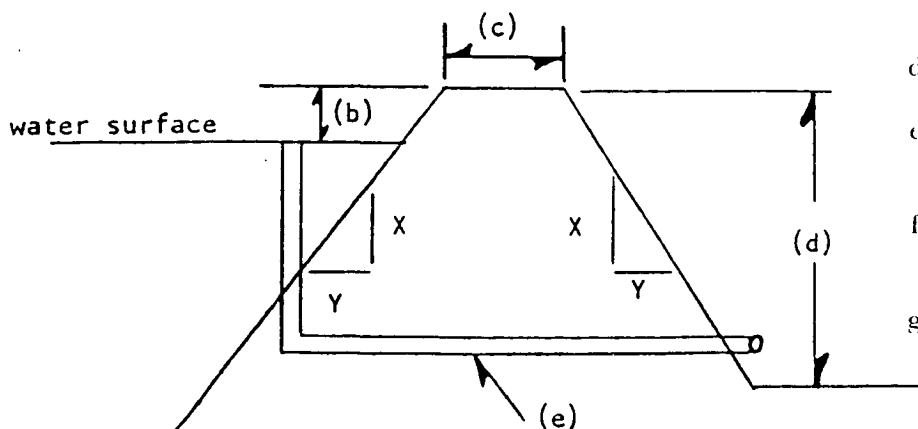
g) X & Y Slope
Upstream NA

Downstream NA

Surface Area of Impoundment NA

Storage NA acre feet

Drainage area above dam NA



Bethesda Home of Oberlin

Robert Miller, Administrator
Signature of Applicant

FORM 2: Application for irrigation (type or print)
in South Dakota

(See instructions)

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

No. 5819-3 Hydrologic Unit 10160003
Basin James River
Newspaper American News, Aberdeen

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

1. Name of Applicant Bethesda Home of Aberdeen Phone No. 605-225-7580

Post Office Address 1224 S. High Street, Aberdeen State SD 57401
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) ~~10 gpm~~ (0.11 cfs) Total acres irrigated 20

3. Source of Water supply 4 ~~new~~ wells

4. Location of point of diversion Outlots 1, 2, and 3 and area 306' x 366' between ctr of Aldrich St and the center of High St South 12th Ave.

N 1/2 SE 1/4 of SW 1/4 Section 19-T123-R63 County Brown

5. Counties where water will be used Brown

6. Annual period during which water is to be used May 1 September 30

7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each:

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>N 1/2 SW 1/4 Sec 19-T123N-R63W</u>	<u>20</u>		

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify) _____

9. Crops to be Irrigated: LAWN

10. Give a description of proposed project. (Attach sheet if more space is needed)
Use of 4 wells for irrigation of above described property



Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Brown) ss

I, Bethesda Home, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Bethesda Home of Aberdeen

Subscribed and sworn to before me this 2nd day of April 1991

Robert J. White
Notary Public

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412636

Pierre, April 10, 19 91

RECEIVED OF Bethesda Home of Aberdeeg, 1224 South High St., Aberdeen, SD 57401

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

Fee for Application for Permit No. <u>5819-3</u> to Appropriate Water, to construct works and to put water to beneficial use	180	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 Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for _____		
(Any Other Work Provided by Law)	Total	100 00

By John Hatch (CF)
Chief Engineer

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412617

Pierre, March 28, 19 91

RECEIVED OF Bethesda Home of Aberdeen, 1224 S High Street, Aberdeen SD 57401

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

Fee for Application for Permit No. <u>5819-3</u> to Appropriate Water, to construct works 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 Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatcher
Chief Engineer

(KS)

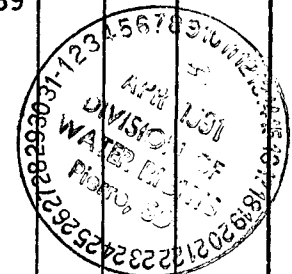
JOB NO. 66-0275

VERTICAL SCALE 1" = 3'

BORING NO. 1

PROJECT PROPOSED 32-UNIT ELDERLY HOUSING ADDITION - BETHESDA NURSING HOME-ABERDEEN, SD

DEPTH IN FEET	DESCRIPTION OF MATERIAL SURFACE ELEVATION 97.2'	GEOLOGIC ORIGIN	N	WL	SAMPLE		LABORATORY TESTS			
					NO	TYPE	W	D	LL PL	Qu
1	SILTY CLAY, dark grayish brown, frozen (CL)	TOPSOIL			1	FA				
	MEDIUM FAT CLAY, brown, frozen to 1' then rather stiff (CL-CH)	LAKE DEPOSIT			2	FA				
			10		3	SB	23	95	49 23	
			12		4	SB	39			
			9		5	SB				
8½	SILTY SAND, fine grained, brown, moist, medium dense, lenses of silt and silty clay (SM)		14		6	SB				
12½	SILTY CLAY, brown, medium (CL)		6	▼	7	SB				
14	SILTY SAND, fine grained, brown, waterbearing dense (SM)		23		8	SB				
16	END OF BORING									



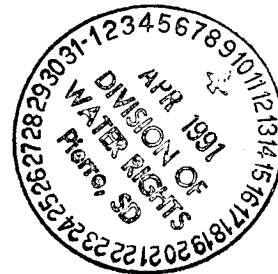
WATER LEVEL MEASUREMENTS

START 12-19-84 COMPLETE 12-19-84

DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	BAILED DEPTHS	WATER LEVEL	METHOD	
12-19	9:35	16'	None	14½'	10	14'	6"FA 0-14½'	@ 9:35
12-19	2:30	16'	None	14'	10	13½'		
					10			
					10			
CREW CHIEF							Hagedorn	

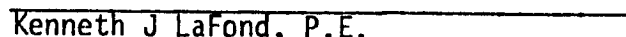
This report was prepared by:

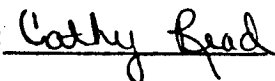

Ralph E. Lindner, P.E.
Geotechnical Engineer



This report is being reviewed in accordance with our quality assurance program. This service is provided as an additional assurance to you that work was performed with the level of care and skill ordinarily exercised by members of the profession practicing under similar conditions at the time the service is performed. A copy of this report will be reviewed and returned to you.

This report was reviewed by:


Kenneth J. LaFond, P.E.
Chief Geotechnical Engineer

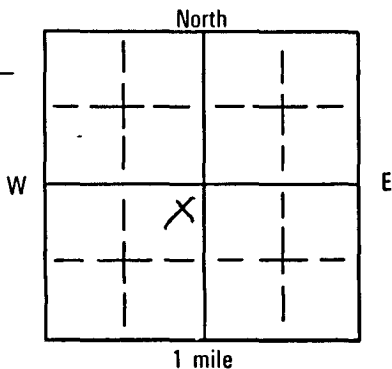
Proofread by: 

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location 1/4 SW 1/4 Sec 19 Twp 123 Rg 62County Brown

Please mark well location with an "X"

Well Completion Date 5-8-90

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Forward rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200</u> LB/FT	<u>5.0</u> IN	<u>0</u> FT	<u>20</u> FT	<u>8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 20 FEETWhat is grouting material? cementIf cement, number of sacks? 4Describe grouting procedure pumped

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5 IN Length 10 FEETMaterial plasticSlot Size 20° Set From 30 Feet To 40 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 ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name Bethesda HomesAddress 1224 S. HighWell Log: NE well

Depth

Formation	From	To
<u>topsoil</u>	<u>0</u>	<u>3</u>
<u>yellow clay</u>	<u>3</u>	<u>16</u>
<u>quicksand</u>	<u>16</u>	<u>20</u>
<u>clay</u>	<u>20</u>	<u>21</u>
<u>quicksand</u>	<u>21</u>	<u>23</u>
<u>bluesand</u>	<u>23</u>	<u>31</u>
<u>rocks</u>	<u>31</u>	<u>33</u>
<u>sand</u>	<u>33</u>	<u>38</u>
<u>clay</u>	<u>38</u>	<u>84</u>
<u>shale</u>	<u>84</u>	<u>90</u>

STATIC WATER LEVEL 18 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

Describe: _____

☐ Other

Pumping Level Below Land Surface

24 ft. After 6 Hrs. pumped 20 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 288

And this report is true and accurate.

Drilling firm Olson Well Drilling

Signature of License Representative:

Ray Olson

Signature of Well Owner:

Date 5-28-90

Date 5-28-90

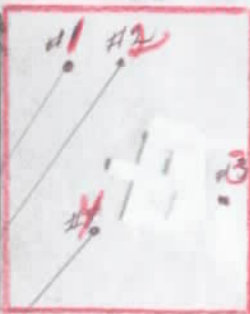
NOT TO SCALE



G-17

19.1

38.1
T 1893



19.5

T 10487
60.0

123-63

Brown County A.S.C. - Farrell Telin, PA

5819-3

April 13, 1990

Bethesda Home of Aberdeen
1224 S. High Street
Aberdeen, SD 57401

Dear Sir:

This letter is in response to your water permit application received on April 10, 1990 and subsequent correspondence. Your application was not on the correct irrigation form. I have enclosed the proper application with information from the previously submitted application transferred to this application. However, the following information needs to be submitted in order to process your application.

- 1) An application fee of \$50 must be submitted.
- 2) The total acres to be irrigated must be stated in Item No. 2 and a legal description of these lands included in Item No. 7.
- 3) A well log or driller's test log signed by a South Dakota licensed well driller must accompany the application.
- 4) A map outlining the lands to be irrigated and showing the location of the wells must be submitted and be signed by one of the following: SD Registered Land Surveyor, SD Registered Professional Engineer or by any other government employee who normally prepares maps as part of his assigned duties (SCS, ASCS, etc.). A copy of your map is attached.

I have attached an instruction sheet for filling out water permit applications.

The water permit application can not be considered by the Water Management Board until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Please address the above listed item and your application will be processed.

If you have any questions, please contact me.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enc.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

October 18, 1990

BETHESDA HOMES
1224 S HIGH
ABERDEEN SD 57401

Dear SIR :

A well drillers report filed with this office by OLSON WELL DRILLING indicates you have completed a new well. The well driller is required by South Dakota Codified Laws (SDCL 46-6-11) to file a well construction report.

The purpose of the enclosed "Summary of South Dakota Water Law and Water Right Information" is to provide general information and to inform you of the responsibilities you have incurred. Specifically:

1. According to South Dakota Water Rights Law (SDCL 46-1-15, 46-5-9, 46-5-10), it is necessary to obtain a water permit to appropriate waters of this state. An exception to this requirement is for water used for domestic purposes. Domestic water uses that do not require a permit are listed under item 5 on the enclosed summary. Those activities that require permits are listed under item 7.
2. If your new well was drilled as a replacement well and if you do not plan to use the old well, the old well is considered abandoned and must be plugged pursuant to SDCL 46-6-27. Other abandoned wells must also be plugged.
3. If the old well is not to be abandoned, or will be used, the well must be sealed or capped at the surface pursuant to SDCL 46-6-27.

Based upon the information we have, you may need a water permit. Since we have no record of a water permit for this well, I am enclosing application forms and an instruction sheet for preparing a water permit application.

Please complete the application and submit it with the required fee to the "Water Rights Division, Joe Foss Building, 523 E. Capitol, Pierre, SD 57501" by 11/19/90.

The Centennial Environmental Protection Act (House Bill 1291) as passed by the 1989 Legislature included Section 46 (SDCL 34A-3A-18) which states:

"Following completion of any new well for domestic use, a water quality sample shall be collected and submitted to the department of health laboratory or another laboratory approved by the department. If the well flows or if the well driller installs the pump, the well driller shall collect and submit the water quality sample. If the pump is not installed by the well driller, the owner shall collect and submit the water sample. The completed analysis shall be submitted to the department by the well driller or owner within thirty days after the submittal of well completion report which is filed with the department pursuant to 46-6-11. At a minimum, the water sample shall be analyzed for nitrate, coliform bacteria, sodium, conductivity and sulfate. Other contaminants may be analyzed for at the option of the well owner or driller. The owner or well driller shall pay for the cost of all analyses."

If you have questions or need assistance contact Regan Fanning, Natural Resources Analyst (605-773-3352).

Very truly yours,

Ron Duvall
Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

cc: well driller

enclosure



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

November 21, 1990

Bethesda Home of Aberdeen
1224 S High Street
Aberdeen SD 57401

Dear Sir:

On April 10, 1990, an application was submitted for a permit to appropriate water for the Bethesda Home of Aberdeen. You were notified on April 13, 1990 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.

Prior to the water permit application being processed, the following requirements must be met:

1. The application needs to be reviewed, signed and notarized.
2. An application fee of \$50 must be submitted.
3. The total acres to be irrigated must be stated in Item No. 2 and a legal description of these lands included in Item No. 7.
4. A well log or driller's test log signed by a South Dakota licensed well driller must accompany the application.
5. A map outlining the lands to be irrigated and showing the location of the wells must be submitted and be signed by one of the following: SD Registered Land Surveyor, SD Registered Professional Engineer or by any other government employee who normally prepares maps as part of his assigned duties (i.e. local SCS or ASCS office).
6. A water sample must be submitted to the Water Quality Laboratory (see Item No. 4 of the attached instruction sheet).

Obtaining a water permit ultimately benefits the Bethesda Home 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. Currently, a water permit for Bethesda Home of Aberdeen has not been found on file with the Division of Water Rights. If you believe the Home already has the required water permit, no longer use water or have no plans to develop the proposed project, please inform us by January 21, 1991.

November 21, 1990
Bethesda Home of Aberdeen
Page 2

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

The water permit application can not be considered by the Water Management Board until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Please submit the above listed items and the application will be processed.

Sincerely,

Eric Gronlund
Eric Gronlund
Water Rights Division
Phone: (605) 773-3352

enclosure

Bethesda Home of Aberdeen

*1224 South High Street
Aberdeen, South Dakota 57401*

Pastor Bob Vevle, Administrator

Phone: 605-225-7580



March 26, 1991

Water Rights Division DWNR
Joe Foss Building
Pierre SD 57501

Gentlemen:

Our staff has been working to gather the information requested. In answer to #4 - Water Quality - the well driller was Olson Well Drilling of Groton, SD and they had submitted water for the proper tests.

The sole purpose of the new wells is for irrigation of lawn around our facilities. We figure it would be better to use well water and save on the city water.

Enclosed is the \$50 check for fee requested.

Sincerely,

Pastor Bob Vevle
Administrator



DEPARTMENT OF WATER & NATURAL RESOURCES

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 1, 1991

Pastor Bob Vevle, Administrator
Bethesda Home of Aberdeen
1224 S High Street
Aberdeen SD 57401

Dear Pastor Vevle:

We have received your letter dated March 26, 1991 and the \$50 filing fee for your Application for a Permit to Appropriate Water. There are still several items which need to be submitted in order process your application.

1. The filing fee is based on the number of acres to be irrigated. Since I would presume you will be irrigating less than 60 acres, the filing fee will be \$150.00. We have receipted your check in the amount of \$50.00. Therefore, \$100.00 is required for this application.
2. Enclosed is another copy of the Application which should be reviewed, signed and notarized.
3. The total acres to be irrigated must be stated in Item No. 2 and a legal description of these lands included in Item No. 7.
4. A map outlining the lands to be irrigated and showing the location of the wells must be submitted and be signed by one of the following: SD Registered Land Surveyor, SD Registered Professional Engineer or by any other government employee who normally prepares maps as part of his assigned duties (i.e. local SCS or ASCS office).
5. A soils map is required of the land to be irrigated in order to proceed with the Soil/Water Permit. This can be obtained from the local SCS or ASCS office also. You have indicated that Olson Drilling has submitted the water samples necessary.

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

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352
enclosure

Bethesda Home of Aberdeen

1224 South High Street
Aberdeen, South Dakota 57401

Pastor Bob Vevle, Administrator

Phone: 605-225-7580



April 4, 1991

Water Rights Division DWNR
Joe Foss Building
523 East Capitol
Pierre SD 57501-3181

Gentlemen:

Enclosed please find another check for the \$100.00 towards the application. Also, enclosed is the application signed and notarized along with a map outlining the lands to be irrigated and showing the location of the wells.

Sorry for any inconvenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bob Vevle".

Pastor Bob Vevle
Administrator

Conversation or File Documentation

NAME OF PERSON OR FILE: Bethesda Home of Aberdeen Appl.ADDRESS: Aberdeen COUNTY BrownDATE: 4/15/91 TELEPHONE 225-7580RE: Discussion with Pastor Vevle

COMMENTS:

I called Mr. Vevle regarding the Home's WP application.- The diversion rate is to be 0.11 cfs- The location of the land to be irrigated is the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sect. 19, T123N, R63W.- There are only 4 wells.

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 Hunkeler

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Bethesda Home of Aberdeen

ADDRESS: 1224 S High Street, Aberdeen SD COUNTY: Brown

DATE: 4-21-94 TELEPHONE:

RE: S/W Compatibility Permit

COMMENTS:

We are proceeding with this application based on the repeal of the Soil/Water Compatibility Permit statutes by the 1994 Legislature.

Karen Schlaak

Karen Schlaak
Environmental Scientist

REPORT ON WATER PERMIT APPLICATION NO. 5819-3
for Bethesada Home of Aberdeen
May 19, 1994

Application No. 5819-3 proposes to appropriate 0.11 cfs (50 gpm) from four wells approximately 38 feet to 67 feet deep located in the N 1/2 SW 1/4 of section 19 to irrigate 20 acres located in the N 1/2 SW 1/4 of section 19; all in T123N R63W in Brown County.

AQUIFER - ELM SOUTHERN BROWN (E-SB)

The Elm Southern Brown is mostly unconfined glacial outwash (sand and gravel). The well completion reports filed with the application indicate both confined and unconfined conditions exist at this site. The aquifer underlies 62,500 acres and contains an estimated 234,000 acre feet of recoverable water in storage in Brown County (Hedges, 1982). The aquifer is areally extensive and is hydraulically connected to the Elm Northern Brown aquifer to the north and extends into Faulk and Spink Counties to the south.

The Division of Water Rights monitors an observation well BN-82D completed in the Elm Southern Brown aquifer and located about 2 miles southwest of this application. Water levels for this well 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, 1994).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights in this area which obtain water from the Elm Southern Brown aquifer. Interference is not a concern. This is a relatively small request and the diversion rates for the wells are also small.

CONCLUSIONS

1. Water is available from the Elm Southern Brown aquifer.
2. The aquifer is at least partially confined in this area. Drawdown is not expected to be significant because of the small diversion rates. Interference is not a concern.
3. Logs for three of the wells are on file. The well construction is in accordance with SD Well Construction Standards. The fourth well will also need to meet these requirements.

4. This is an irrigation permit. Soil water compatibility is not available nor required for this application.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hedges, L.S., et al, 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, 1994, Unpublished Observation Well Data for Brown County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5819-3, Bethesda Home of Aberdeen

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. 5819-3, Bethesda Home of Aberdeen, 1224 South High Street, Aberdeen, SD 57401.

The Chief Engineer is recommending APPROVAL of Application No. 5819-3 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 qualifications:

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.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
May 23, 1994



**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.

May 25, 1994

Pastor Bob Vevle, Administrator
Bethesda Home of Aberdeen
1224 S High St
Aberdeen, SD 57401

Dear Pastor Vevle:

Water Permit Application No. 5819-3 for irrigation 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 American News printed at Aberdeen, SD (Ph # 225-4100). 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.

This application was submitted on April 10, 1991. The application was on hold pending issuance of the Soil-Water Compatibility Permit through the Department of Agriculture. The Soil-Water Compatibility statutes have since been repealed by the 1994 Legislature and the water permit is now being processed.

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

May 25, 1994

American News
Box 4430
Aberdeen, SD 57402-4430

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5819-3 to be published twice. Please publish the first notice on June 1, 1994, 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 Bethesda Home of Aberdeen, 1224 South High Street, Aberdeen, SD 57401 (Ph # 225-7580).

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 June 1, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5819-3 to Appropriate Water

Notice is given that Bethesda Home of Aberdeen, 1224 South High Street, Aberdeen, SD 57401 has filed an application for a water permit to appropriate 0.11 cubic feet of water per second (50 gallons per minute) from four wells (Elm Southern Brown Aquifer) approximately 38 feet to 67 feet deep located in the N 1/2 SW 1/4 Section 19 to irrigate 20 acres located in the N 1/2 SW 1/4 Section 19; all in T123N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5819-3 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 June 20, 1994.

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. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Brown) ss

I, Roberta Dempsey

certify that the attached printed Notice was

taken from the June 8th

edition of Aberdeen American News

printed and published in Aberdeen

County of Brown and State of

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

June 1, 1994

June 8, 1994

Cost of Printing: 50.61

Roberta E Dempsey
 (Signature)

Receptionist
 (Title)

June 8, 1994
 (Date Signed)



(No. 210 - June 1, 8 - 27)
**NOTICE OF APPLICATION NO. 5819-3
 to Appropriate Water**
 Notice is given that Bethesda Home of Aberdeen, 1224 South High Street, Aberdeen, SD 57401 has filed an application for a water permit to appropriate 0.11 cubic feet of water per second (50 gallons per minute) from four wells (Elm Southern Brown Aquifer) approximately 38 feet to 67 feet deep located in the N 1/2 SW 1/4 Section 19 to irrigate 20 acres located in the N 1/2 SW 1/4 Section 19; all in T123N-R63W.
 Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application (No. 5819-3 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 June 20, 1994.
 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. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 19 1994

Pastor Bob Vevle, Administrator
Bethesda Home of Aberdeen
1224 South High Street
Aberdeen, SD 57401

Dear Pastor Vevle:

Enclosed is Water Permit No. 5819-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

BETHESDA HOME OF ABERDEEN
PASTOR BOB VEVLE, ADMINISTRATOR
1224 S HIGH ST
ABERDEEN SD 57401

NOTICE

RE: Violation of Water Permit No 5819-3.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 5819-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No 5819-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No 5819-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

Is your RETURN Addressed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

BETHESDA HOME OF ABERDEEN
PASTOR BOB VEVLE, ADMINISTRATOR
1224 S HIGH ST
ABERDEEN, SD 57401

4a. Article Number

9757 566 352

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-8-95

5. Signature (Addressee)

Gari Bohle

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

★U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 10, 1995

5819-3

Bruce Johnson
Bethesda Home of Aberdeen
1224 S High Street
Aberdeen, SD 57401

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. The questionnaire was completed for you following our February 8, 1995 telephone conversation. You may disregard the February 7, 1995, **Notice of Violation of Water Permit No. 5819-3.**

The questionnaire was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Enclosed, as we discussed, is a blank irrigation questionnaire. This will give you an idea of the type of data you will need to keep track of each year. If you have any questions, please contact me.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 18, 1997

5819-3

Bethesda Home of Aberdeen
%Pastor Bob Vevle, Administrator
1224 S. High Street
Aberdeen, SD 57401

Dear Pastor Vevle:

The investigation of your water use system was conducted on October 23, 1997, by Gale N. Selken, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 5819-3. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

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

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

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

415541

Pierre, _____ December 1, 19 97

RECEIVED OF Bethesda Home of Aberdeen, 1214 S. High St., Aberdeen, SD 57401

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>5619-3</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 Hartz (9)
Chief Engineer

Permit No. 5819-3
X 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, **23 October 1997**, made a thorough examination of the water use system constructed by **Bethesda Home of Aberdeen of 1224 S High St, Aberdeen, SD 57401** holder of **Permit No. 5819-3** bearing the priority of **11 March 1994** authorizing the diversion of **0.11** cubic feet per second of the waters of **Elm Southern Brown** aquifer for irrigation purposes, in **Brown County**.

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

A. Works used to divert the water:

Three wells located and described as follows:

well #1; approximately 2680 feet north and 1085 feet east of the southwest section corner of section 19 T123N R63W, well has a submersible pump installed and produces 15 gallons per minute of water. The well is 38 feet deep.

well #2; approximately 2737 feet north and 1276 feet east of the southwest section corner of section 19 T123N R63W, well has a submersible pump installed and produces 15 gallons per minute of water. The well is 40 feet deep.

well #3; has been abandoned and plugged.

well #4; approximately 2400 feet north and 1442 feet east of the southwest section corner of section 19 T123N R63W, well has a submersible pump installed and produces 10 gallons per minute of water. The well is 67 feet deep.

Total amount of water produced is 40 gallons per minute (0.09 cubic feet per second).

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

One inch pipeline with underground lawn sprinklers.

C. Works used to apply water to beneficial use:

lawn sprinklers

The system is in the following condition **good**. The point of diversion are located **as described in part a above**. The works are capable of diverting and conveying to the place of use **0.09** cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

portions of outlots 1, 2 & 3 and an area 306 feet by 366 feet between Aldrich Street and High Street 12th Ave. SE Aberdeen, South Dakota in the N1/2SW1/4 section 19 T123N R63W consisting of approximately 20 acres of lawn and trees,

or NE1/4SW1/4 20 acres in section 19 T123N R63W

comprising a total of **20** acres of land and the license should be issued for **0.09 cfs**.

Applicable permit qualifications have been complied with: Yes **X**

Date Report Completed: **November 14, 1997**

Comments: Map in permit is accurate, a new map was not constructed. All correspondence should be mailed to Bruce Johnson, Administrator.

A handwritten signature in cursive script, reading "Gale N. Selken".

Gale N. Selken, P.E.
Natural Resources Engineer
DENR, Water Rights Program

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5819-3

(1) Bethesda Home of Aberdeen, 1224 S High St, Aberdeen SD 57401 made Application No. 5819-3, April 10, 1991 for a water permit to divert 0.11 cubic feet of water per second from groundwater (four wells), Brown County, South Dakota for irrigation purposes. Permit No. 5819-3, with a priority date of March 11, 1994 was approved June 20, 1994 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.09 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 2,680 feet north and 1,085 feet east; Well #2 - 2,737 feet north and 1,276 feet east; Well #3 - abandoned and plugged; Well #4 - 2,400 feet north and 1,442 feet east; all from the southwest corner of Section 19-T123N-R63W (NE 1/4 SW 1/4).

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

Section 19-T123N-R63W NE 1/4 SW 1/4 20 acres

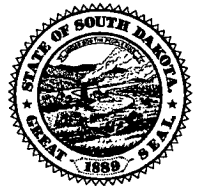
(4) Pursuant to South Dakota Water Law 46-5-30.1 Bethesda Home of Aberdeen, 1224 S High St, Aberdeen SD 57401 the holder and/or owner of Water Permit No. 5819-3 is issued a license to appropriate water, the right to use 0.09 cubic feet of water per second from groundwater (three wells) with a priority date of March 11, 1994 from the locations specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 5819-3 and subject to South Dakota State Law.



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

JAN 07 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 07 1998

5819-3

Bethesda Home of Aberdeen
Bruce a. Johnson, Administrator
1224 S. High St.
Aberdeen, SD 57401

Dear Mr. Johnson:

Enclosed is Water License No. 5819-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415541 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. 5819-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

ks
enclosures



5819-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 1999

NOTICE

TO: BETHESDA HOME OF ABERDEEN, BRUCE JOHNSON, 1224 S HIGH ST, ABERDEEN, SD 57401

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5819-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5819-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:45 am, March 3, 1999 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

- 1 Suspend or cancel Permit No(s) 5819-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

BETHESDA HOME OF ABERDEEN
BRUCE JOHNSON
1224 S HIGH ST
ABERDEEN SD 57401

4a. Article Number

Z 119 141 640

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

1-23-99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

Sam Roush

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 1999

5819-3

Bruce Johnson
Bethesda Home of Aberdeen
1224 S High St
Aberdeen, SD 57401

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Permit No. 5819-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

FILE NO. 5819-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Bethesda Home of Aberdeen, C/O Scott Eisenbeisz, 1224 S High St,
Aberdeen, SD 57401

DATE: 10/06/2026

TELEPHONE: 605-334-5000

RE: Cancellation of License No. 5819-3

COMMENTS:

We received the Irrigation Questionnaire online stating that Water Right No. 5819-3 was abandoned. I then spoke with Scott Eisenbeisz who stated that they have not used this system for the last 8 years, that they currently use city water for irrigation. He was in agreeance with canceling this water right.

Shannon Konst

Shannon Konst
Water Rights Program