

WATER PERMIT NO. 5827-3

Phone: 712-233-3029

Name of Applicant: Don Lantis

Post Office Address: 301 Oakland, Sioux City IA 51103

Amount of Water Claimed: 0.033 cfs Total Acres: _____

Source of Water Supply: groundwater - 1 well

Water to be used for: commercial County: Union

Location: north of N Sioux City

PRIORITY Date Received: 2-9-94 Fee: \$50.00

Corrected Application Received: 6-8-94 Period of Annual Use: Jan 1 - Dec 31

Remarks: used at Lantis Fireworks stand

Diversion Point: SW 1/4 SW 1/4 Sec 3-T89N-R48W

Land to be Irrigated: _____

		3			
	⊗				

Well Log: Driller: Wetmore Drilling Licensed: YES S NO _____

Depth of Well: 102 feet REMARKS: _____

Type of Map: aerial Prepared By: Larry D. Wilcox, ASCS Reviewed and the Number

Assigned on: 6-13-94 By: Karen Schlaak

No. 5827-3 Hydrologic Unit 10170101
Basin Vermillion River
Newspaper The Leader-Courier, Box 310, Elk Point
(office use only)

7-92

Supplemental Information

(type or print in ink)

Well recorded with
water Rights Div
ATT Eric Gronlund

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 5" Depth 102 ft.
- b) Casing Type PVC Diameter 5" Thickness 1/4
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:

On applicants property 2 blocks On property owned by others 3 blocks

2. Dugout Information

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

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

g) X & Y Slope

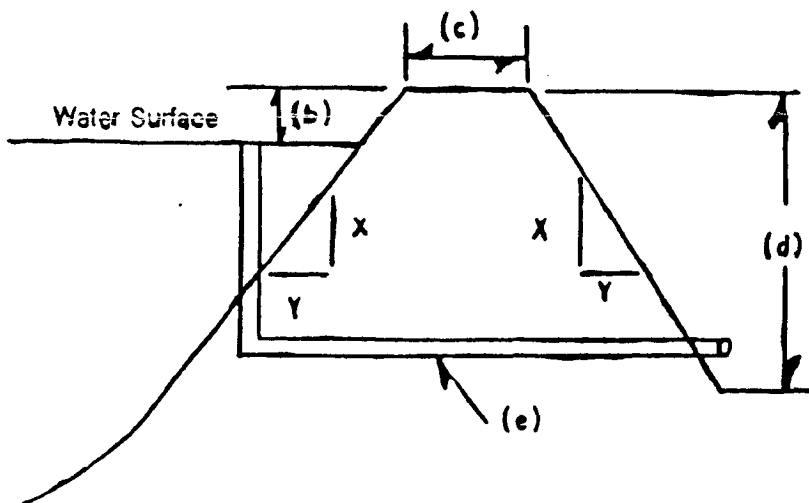
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



**SOUTH DAKOTA
WATER PERMIT NO. 5827-3**

Date of first receipt of application February 9, 1994.

Date of return to applicant for corrections, amendments or changes February 9, 1994.

Date of receipt of corrected application June 8, 1994.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5827-3 to Don Lantis, 301 Oakland, Sioux City IA 51103 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. 5827-3 appropriates 0.033 cubic feet of water per second (15 gallons per minute) from one well (Missouri-Elk Point Aquifer) 102 feet deep located in the SW 1/4 SW 1/4 Section 3-T89N-R48W.
2. The water appropriated shall be used for the purpose of supplying water at Lantis Fireworks, Inc. and may not exceed the amount of water needed for beneficial use for commercial use 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. 5827-3 is August 15, 1994.
5. The date from which applicant may claim right is June 8, 1994.
6. One-fifth of the construction is to be completed on or before February 15, 1997.
7. All construction is to be completed on or before August 15, 1999.
8. Water is to be put to beneficial use on or before August 15, 2003.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

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

NOV 14 1994
date

RECEIPT

414032

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, February 9, 19 94

RECEIVED OF Lantis Fireworks, Inc., 1301 W 1st St, Sioux City, IA 51103

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

Fee for Application for Permit No. <u>5827-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer



90-48

NHEL

1 117.8

T-1448

31R

NHEL

1 118.7

T 198

NHEL

1 117.7

3

T-225

T-191

T-234

31R

NHEL

NHEL

*This area represents
Lantis fireworks stand*

Harry D. Wilcox, CED

2 38.6

UNION COUNTY ASCS. OFFICE
Post Office Box 460
ELK POINT, SOUTH DAKOTA 57025

1 203

NHEL

NHEL



1 14.3

1 39.6

1 73.9

89-48

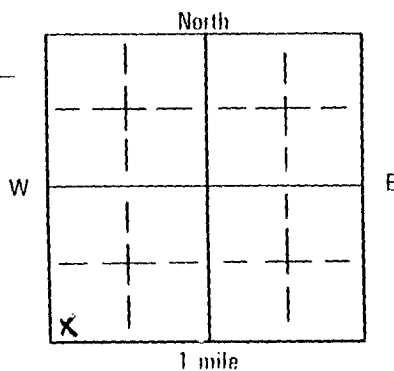
5827-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SW 1/4 SW 1/4 Sec 3 Twp 89N Rg 49WCounty Union

Please mark well location with an "X"



1 mile

Well Completion Date 5-28-93

PROPOSED USE:

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

Method of Drilling:

Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>250 lbs</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>92</u> FT	<u>8 3/4</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? 25 FEETWhat is grouting material? best cementIf cement, number of sacks? 10Describe grouting procedure pumped w/ tremie
Bestonite dug from 25-92 Ft.What was grout weight? 15.5 LB/GALSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5 IN Length 10 FEETMaterial PreSlot Size 40 Set From 92 Feet To 102 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain Chlorine solutionBacteriological analysis ☒ YES ☐ NOLaboratory sent to SD Dept Health

Well Owner:

Name Don LantisAddress 301 Oakland Street, Sioux City, IA

Well Log:

Depth

Formation

From

To

Top soil02clay228sand2879sand & Gravel79102STATIC WATER LEVEL 14 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

15 ft. After 2 Hrs. pumped 15 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

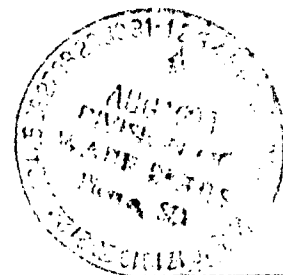
This well was drilled under license # 341

And this report is true and accurate.

Drilling firm Wetmore Drilling

Signature of License Representative:

Signature of Well Owner:

Date 7/29/93

1-21-94



February 9, 1994

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Don Lantis
301 Oakland
Sioux City IA 51103

Dear Mr. Lantis:

We received your water permit application on February 9, 1994. Enclosed is the map which you submitted with the application. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).

It would appear from the location marked on the map that the well is located in the SW 1/4 SW 1/4 Section 3-T89N-R48W. Do you agree with this location? *YES*

Please specify the type of wastewater disposal system that is utilized (ie. septic tank, drainfield). Also, specify the capacity of the system and the approximate year of construction.

If you have any questions, please contact this office.

*the tank is about 6'x5' built in
1981*

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
605 773-3352

enclosure





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 23, 1994

Don Lantis
301 Oakland
Sioux City IA 51103

Dear Mr. Lantis:

On February 9, 1994, you submitted an application (copy enclosed) for a permit to appropriate water for commercial use. You were notified on February 9, 1994 (copy enclosed) that the application was incomplete and were instructed what additional information was necessary in order to complete the application. To date, we have not received a response from you.

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

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

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Natural Resources Analyst
(605) 773-3352

enclosures

REPORT ON WATER PERMIT APPLICATION NO. 5827-3
for Don Lantis
July 8, 1994

Application No. 5827-3 proposes to appropriate 0.033 cfs (15 gpm) from one well approximately 102 feet deep located in the SW 1/4 SW 1/4 of section 3, T89N R48W in Union County. The water is for commercial use at Lantis Fireworks, Inc.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is a mostly buried glacial outwash (sand and gravel) under artesian conditions. Portions of the aquifer are unconfined, most notably portions of the area south of Elk Point, and the aquifer is hydraulically connected to the Big Sioux South aquifer to the north, the Upper Vermillion Missouri aquifer to the west and the Missouri Elk Point in Clay County to the west. The aquifer underlies 99,600 acres and contains an estimated 1.49 million acre feet of recoverable water in storage in Union County (Hedges, 1982).

The Division of Water Rights monitors three observation wells completed into the Missouri Elk Point aquifer located within 1 mile of this application. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. The record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1994).

The completion report filed with the application indicates clay from 2 to 28 feet below land surface, sand from 28 to 79 feet below land surface and sand and gravel from 79 to 102 feet below land surface. The completed well had a static water level of 14 feet and the well is completed in accordance with SD Well Construction Standards.

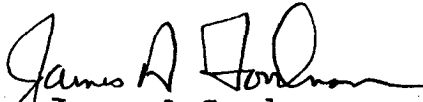
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water permit/right is for McCook Lake Sanitary District (5782-3 and 1646-3). The location of this application is about 1/4 mile east of the McCook Lake Sanitary District wells. Interference is not a concern. This well only request 15 gpm and drawdown caused by a diversion this small is not significant.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. Interference is not a concern.
3. This is an existing well. The well has been completed in accordance with SD Well Construction Standards.

4. Wastewater is disposed of through a septic tank system built in 1981.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hedges, L.S., et al, 1982, Evaluation of Ground-Water Resources Eastern South Dakota 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 Union County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

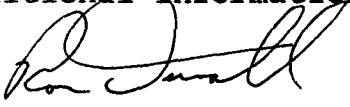
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5827-3, Don Lantis

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. 5827-3, Don Lantis, 301 Oakland, Sioux City, IA 51103.

The Chief Engineer is recommending APPROVAL of Application No. 5827-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

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

See report on application for additional information.


for JOHN HATCH, Chief Engineer
July 19, 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.**

July 22, 1994

Don Lantis
301 Oakland
Sioux City, IA 51103

Dear Mr. Lantis:

Water Permit Application No. 5827-3 for commercial 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 Leader-Courier printed at Elk Point, SD (Ph # 605-356-2632). 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

July 22, 1994

The Leader-Courier
Box 310
Elk Point, SD 57025-0310

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5827-3 to be published twice. Please publish the first notice on July 28, 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 Don Lantis, 301 Oakland, Sioux City, IA 51103 (Ph # 712-233-3029).

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 July 28, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5827-3 to Appropriate Water

Notice is given that Don Lantis, 301 Oakland, Sioux City, IA 51103 has filed an application for a water permit to appropriate 0.033 cubic feet of water per second (15 gallons per minute) from one well (Missouri:Elk Point Aquifer) 102 feet deep located in the SW 1/4 SW 1/4 Section 3-T89N-R48W. The water is for commercial use at Lantis Fireworks, Inc.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5827-3 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 August 15, 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. 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

County of Union and State of

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

July 28, 1994

August 4, 1994

Cost of Printing: 34.89

Lester E. Emerson
(Signature)

Editor/Publisher
(Title)

August 4, 1994
(Date Signed)

NOTICE OF APPLICATION NO. 5827-3

TO APPROPRIATE WATER

Notice is given that Don Lantis, 301 Oakland, Sioux City, IA 51103 has filed an application for a water permit to appropriate 0.033 cubic feet of water per second (15 gallons per minute) from one well (Missouri: Elk Point Aquifer) 102 feet deep located in the SW¼ SW¼ Section 3-T89N-R48W. The water is for commercial use at Lantis Fireworks, Inc.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5827-3 because 1.) unappropriated water is available, 2.) existing water 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 August 15, 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. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.
Pub. July 28, Aug. 4, 1994.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 14 1994

Don Lantis
301 Oakland
Sioux City, IA 51103

Dear Mr. Lantis:

Enclosed is Water Permit No. 5827-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Date 11-17-94

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

FROM: DON LANTIS 201 OAKLAND
(name) (address)
SIOUX CITY, IOWA 51103 712-233-3009
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5827-3.

Water Permit No. 5827-3 states that the diversion system is to be constructed by 8-15-1999,
(date)
8-15-2003.
(date)

The diversion system was completed on 11-17-94.
(date)

Applying the water to beneficial use was completed on 11-17-94.
(date)

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

Don Lantis
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1997

5827-3

Don Lantis
1301 West 1st St.
Sioux City, IA 51103

Dear Mr. Lantis:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5827-3, has been completed. 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

415248

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, February 13, 1997

RECEIVED OF Islands Fireworks, Inc., 1301 W. 1st St., Sioux City, IA 51103

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>5827-B</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 Hitchcock
Chief Engineer

Permit No. 5827-3
Vermillion 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, **July 16, 1996**, made a thorough examination of the water use system constructed by **Don Lantis** of **1301 West 1ST Street, Sioux City, Iowa 51103** holder of Permit No. **5827-3**, bearing the priority of **June 8, 1994** authorizing the diversion of **0.033** cu. ft. of water per second from **ground water** for **commercial** purposes, in **Union** County.

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

A. Works used to divert the water:

A 1/2 HP Franklin motor with a 10 GPM Goulds pump.

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

N/A

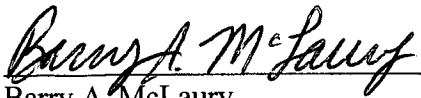
C. Works used to apply water to beneficial use:

Commercial use of water in a fireworks stand in Union County.

The system is in the following condition **good**. The point of diversion is located **265 feet E and 1060 feet N from the SW corner of Section 03; T089N R48W (SW1/4 SW1/4)**. The works are capable of diverting and conveying to the place of use **0.022** cu. ft. of water per second and the license should be issued for **0.022** cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: **none** Date Report Completed: **February 6, 1997**



Barry A. McLaury
Natural Resources Scientist
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 5827-3

Other permit(s) associated with the project: None

DATE OF INSPECTION: July 16, 1996

NAME OF INSPECTION CONTACT: Don Lantis

NAME & ADDRESS OF PERMIT HOLDER: Don Lantis, 1301 West 1ST Street, Sioux City, Iowa 51103

DIVERSION POINT LEGAL LOCATION: 265 feet E and 1060 feet N from the SW corner of Section 03; T089N R48W (SW1/4 SW1/4).

WELL INFORMATION:

- | | |
|--|-----------------------------------|
| 1) Well Drilling Firm: <u>Wetmore Drilling</u> | 3) Depth(s) <u>102</u> feet |
| 2) No. of Wells <u>1</u> | 4) Well log is available <u>Y</u> |

Casing:

- 1) Diameter 5 inches
- 2) Length 92 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 10 feet
- 3) Static water level 14 feet

Motor:

- 1) Make Franklin
- 2) Model No. N/A
- 3) Horsepower rating 1/2 HP

Pump:

- 1) Make Goulds
- 2) Model No. 10 EJ
- 3) Capacity 10 GPM

SYSTEM TYPE:

Commercial Use:

Water used for commercial use at a fireworks stand.

PERMIT QUALIFICATIONS AND REGULATIONS:

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

NOT TO SCALE

TO SCALE



5827-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5827-3

(1) Don Lantis, 1301 West 1st St, Sioux City IA 51103 made Application No. 5827-3, February 9, 1984 for a water permit to divert 0.033 cubic feet of water per second from groundwater (one well), Union County, South Dakota for commercial purposes. Permit No. 5827-3, with a priority date of June 8, 1994 was approved August 15, 1994 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 15, 1999 and for the application to beneficial use of said water on or before August 15, 2003.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on November 21, 1994. The *Notice* stated the diversion system was completed on November 17, 1994 and the water placed to beneficial use on November 17, 1994.

(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 0.022 cubic feet of water per second for beneficial use. The location of the diversion point is 265 feet east and 1,060 feet north from the southwest corner of Section 3-T89N-R48W (SW 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 at a fireworks stand.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Don Lantis, 1301 West 1st St, Sioux City IA 51103 the holder and/or owner of Water Permit No. 5827-3 is issued a license to appropriate water, the right to use 0.022 cubic feet of water per second from groundwater (one well) with a priority date of June 8, 1994 from the location specified in (2) of this license, for the purpose of commercial use. This license is subject to any limitations or qualifications listed in Water Permit No. 5827-3 and subject to South Dakota State Law.



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

APR 7 1997

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 7 1997

5827-3

Don Lantis
1301 West 1st St.
Sioux City, IA 51103

Dear Mr. Lantis:

Enclosed is Water License No. 5827-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415248 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. 5827-3, 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