

WATER PERMIT NO. 5880-3

Name of Applicant: City of Vermillion

Address: 25 Center St, Vermillion SD 57069

Phone: 605 677-7050

Amount of Water Claimed: 1.11 cfs Total Acres: 73.4

Source of Water Supply: groundwater (one well)

Depth of Well: 200 feet deep

Water to be used for: irrigation of golf course

County: Clay

Type of Waste Disposal System: NA

Location:

PRIORITY

Date Received: 8-25-95

Fee: \$225.00

Corrected Application Received:

Period of Annual Use: May 1 - September 30

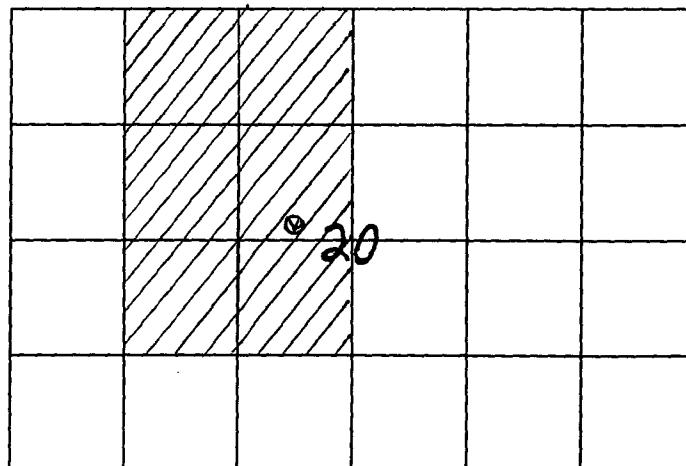
Remarks:

Diversion Point: SE 1/4 NW 1/4 Sec 20-

T92N-R51W

Land to be Irrigated: NW 1/4, N 1/2 SW 1/4

Sec 20-T92N-R51W



Reviewed and the Number Assigned on: 8-25-95

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota

(type or print)

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

No. 5880-3 Hydrologic Unit 10170102
Basin Vermillion River
Newspaper Plain Talk, Box 256, Vermillion
(office use only)
(Fri) 624-2695 57069-0256



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

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(check one) (Use predates Mar 2, 1955)

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

- Name of Applicant City of Vermillion Phone 605-677-7050
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 25 Center Street, Vermillion State SD, 57069
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 1.11 *CFS or 500 **GPM ***AF Total Acreage 73.4
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout if applicable)
- Source of water supply Lower Vermillion - Missouri Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) one (1) well in SE 1/4, NW 1/4, Sec. 20-T92N-R51W 5th P.M.
- County Clay
- County or counties where water will be used Clay
- Annual period during which water is to be used May 1 - September 30
- List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW 1/4 NW 1/4 Sec.20-92-51	16.0	SW 1/4 NW 1/4 Sec.20-92-51	5.9
NE 1/4 NW 1/4 Sec.20-92-51	12.4	NW 1/4 SW 1/4 Sec.20-92-51	10.1
SE 1/4 NW 1/4 Sec.20-92-51	17.1	NE 1/4 SW 1/4 Sec.20-92-51	11.9

- Type of Irrigation: Gravity: ☐ Towline: ☐ Center Pivot: ☐ Gun: ☐ Other (Specify): _____
- Crops to be irrigated: _____
- Give a description of the project. (Attach sheet if more space is needed)

This well will be used to irrigate the new 18-hole municipal golf course named THE BLUFFS for the City of Vermillion. This is a city project and will be owned and operated by the City of Vermillion. Only the Tees, Greens and Fairways will be irrigated.

This well will be used to supplement the water to be pumped from a 3.6 acre lake on the golf course.

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

STATE OF SOUTH DAKOTA

County of Clay)^{ss}

I, Joseph W. Gillen, 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 representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Joe W. Gillen City Engineer

Subscribed and sworn to before me this 29 day of August 1995

Michael D. Carlson
Notary Public
Comm exp 7-5-97

**SOUTH DAKOTA
WATER PERMIT NO. 5880-3**

Date of first receipt of application August 25, 1995.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5880-3 to City of Vermillion, 25 Center Street, Vermillion SD 57069 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. 5880-3 appropriates 1.11 cubic feet of water per second from one well (Lower Vermillion: Missouri Aquifer) 200 feet deep located in the SE 1/4 NW 1/4 Section 20-T92N-R51W. Water will be pumped from the well into a storage pond of approximately 32 acre-feet capacity to irrigate 73.4 acres located in the NW 1/4, N 1/2 SW 1/4 Section 20-T92N-R51W. The pond will also receive incidental surface runoff.
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 August 25, 1995.
4. The date of approval of Permit No. 5880-3 is November 6, 1995.
5. One-fifth of the construction is to be completed on or before May 6, 1998.
6. All construction is to be completed on or before November 6, 2000.
7. Water is to be put to beneficial use on or before November 6, 2004.
8. 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 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.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Water Permit No. 5880-3 authorizes a pond with a storage capacity of approximately 32 acre-feet of water. The dam may be filled one or more times per year.

(continued)

Water Permit No. 5880-3
City of Vermillion
Page 2

4. Water Permit No. 5880-3 limits the diversion rate from the 32 acre feet pond for irrigation of 73.4 acres to 1.05 cfs (470 gpm).

WATER MANAGEMENT BOARD

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

DEC 18 1995
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 12 in. Depth 200 ft.
- b) Casing Type PVC Diameter 8 in. Thickness Sch 40
- c) Screen Type PVC Diameter 8 in. Thickness Sch 40
- d) Gravel Pack Thickness 2 in. Length of Gravel Pack 40 ft.
- e) Depth to Top of Water Bearing Material 117 ft.
- f) Depth to Water (ground surface to water level) 80 ft.
- g) Distance to nearest existing domestic well:
On applicants property N/A On property owned by others 3,000 ft.



2. Dugout Information

- a) Surface Dimensions 3.6 Acres Depth 16 ft.
- b) Depth to water (ground surface to water level) 2.5 ft.

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

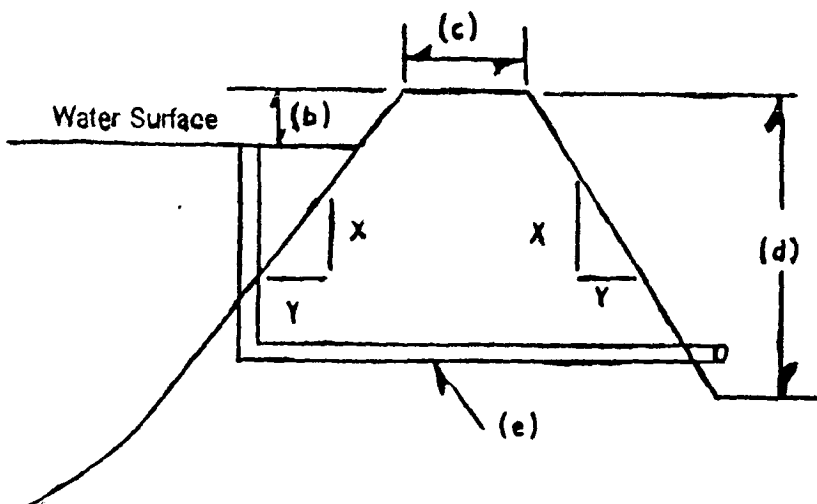
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



RECEIPT

414597

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ August 25, 19 95

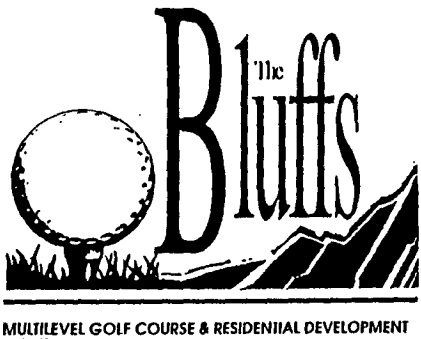
RECEIVED OF City of Vermillion, 25 Center St, Vermillion SD 57069

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

Fee for Application for Permit No. <u>5880-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	225 00

By John Hatch
Chief Engineer

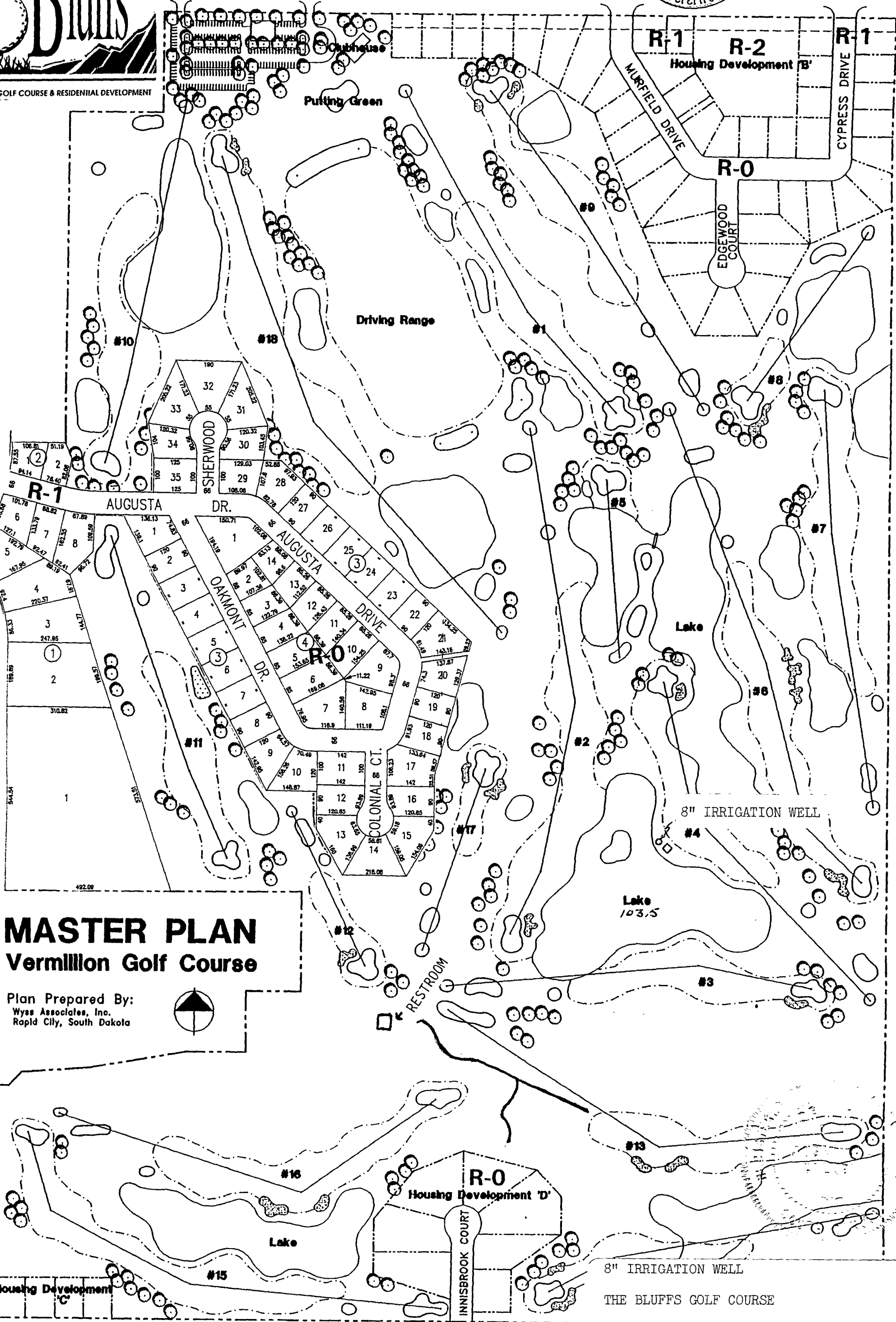


MAIN STREET



CRAWFORD ROAD

PINEHURST AVENUE



MASTER PLAN Vermillion Golf Course

Plan Prepared By:
Wyss Associates, Inc.
Rapid City, South Dakota



BURBANK ROAD

8" IRRIGATION WELL

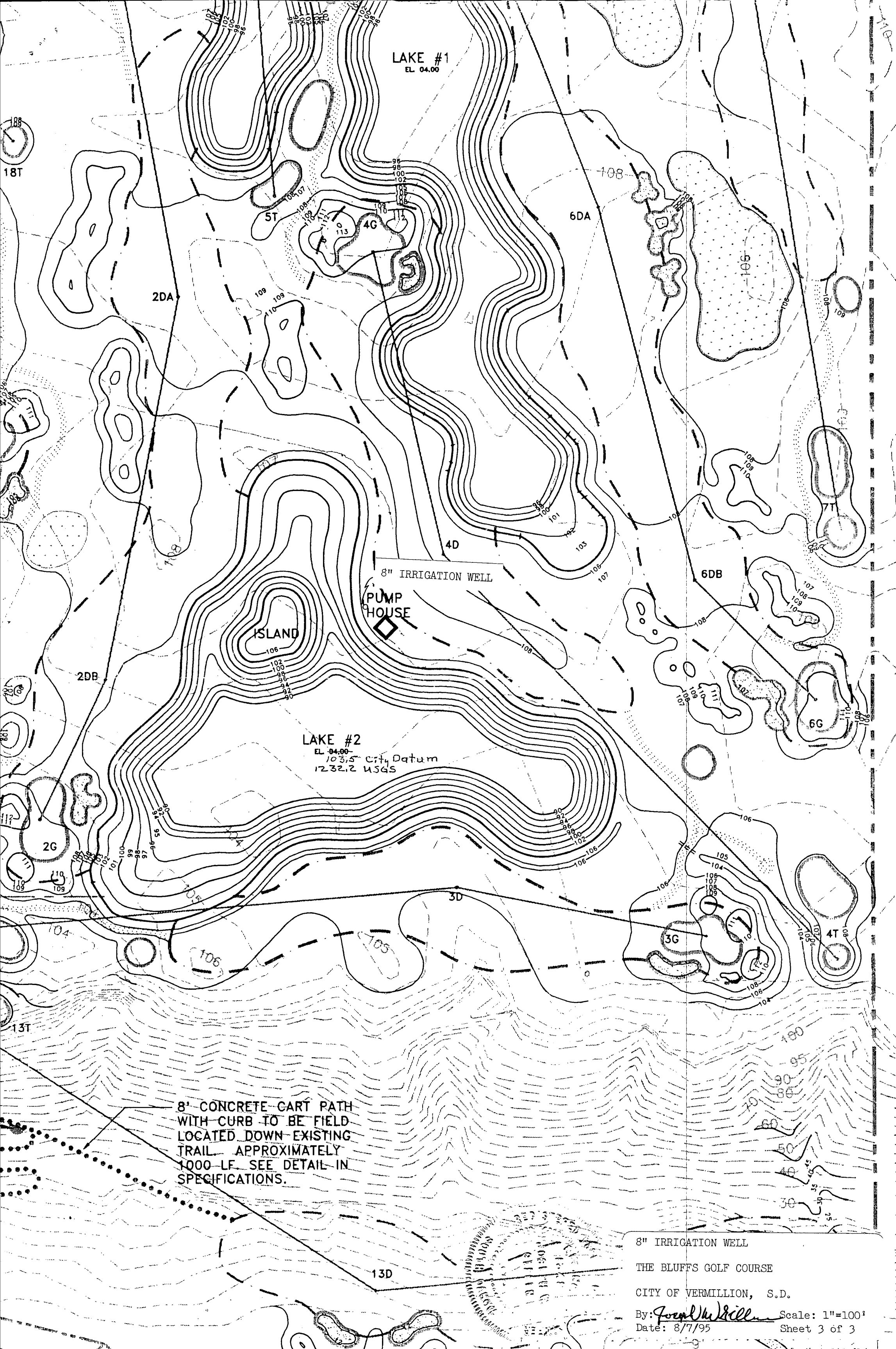
THE BLUFFS GOLF COURSE

CITY OF VERMILLION, S.D.

By: _____
Date: 8/7/95

Scale: None
Sheet 2 of 3

5880-3

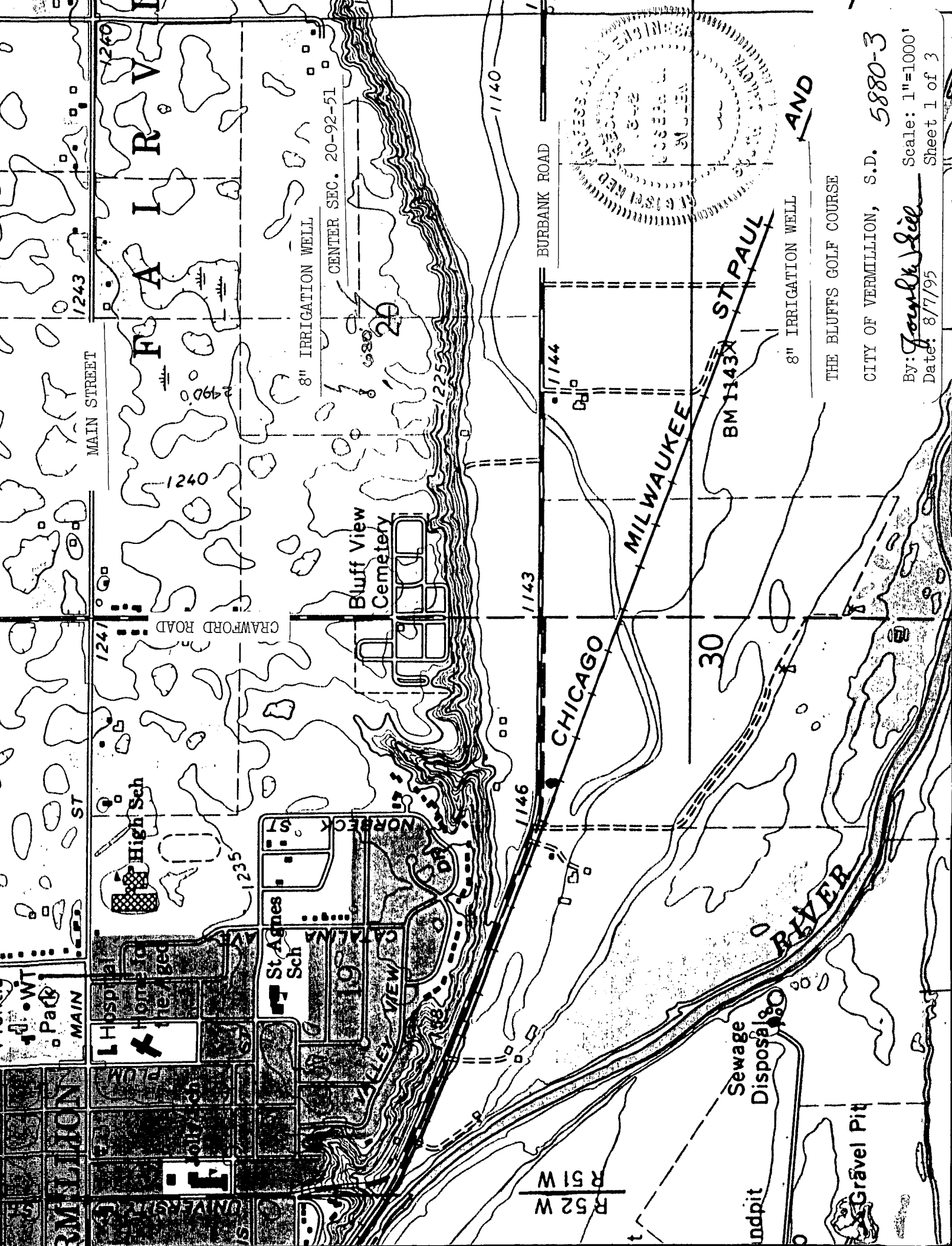


8" IRRIGATION WELL

THE BLUFFS GOLF COURSE

CITY OF VERMILLION, S.D.

By: *John W. Hill* Scale: 1"=100'
Date: 8/7/95 Sheet 3 of 3



MAIN STREET

VERMILLION

CRAWFORD ROAD

8" IRRIGATION WELL

CENTER SEC. 20-92-51

Bluff View Cemetery

BURBANK ROAD

CHICAGO

MILWAUKEE

ST PAUL
BM 1143

8" IRRIGATION WELL

THE BLUFFS GOLF COURSE

CITY OF VERMILLION, S.D. 5880-3

By: *John C. Lee*
Date: 8/7/95

Scale: 1"=1000'

Sheet 1 of 3

City of VERMILLION

**25 CENTER STREET
VERMILLION, SOUTH DAKOTA 57069**

PHONE: (605) 624-5641



October 28, 1994

Mr Jim Goodman
SD DENR Water Rights Division
Joe Foss Building
523 East Capitol Avenue
Pierre SD 57501

Re: Well for New Golf Course

The City of Vermillion is constructing a new 18 hole municipal golf course south of Main Street and east of Crawford Road on a piece of land described as the Smith-Quam Addition to the City of Vermillion, S.D. This 217.76 acre parcel of land is located in the NW 1/4, and N 1/2, SW 1/4, Sec. 20-92-51.

The City of Vermillion herein requests permission to drill a test well 180 to 220 feet deep and apply for water rights to develop a 500 gpm irrigation well for the golf course. I have the location shown on the enclosed copy of the quad map.

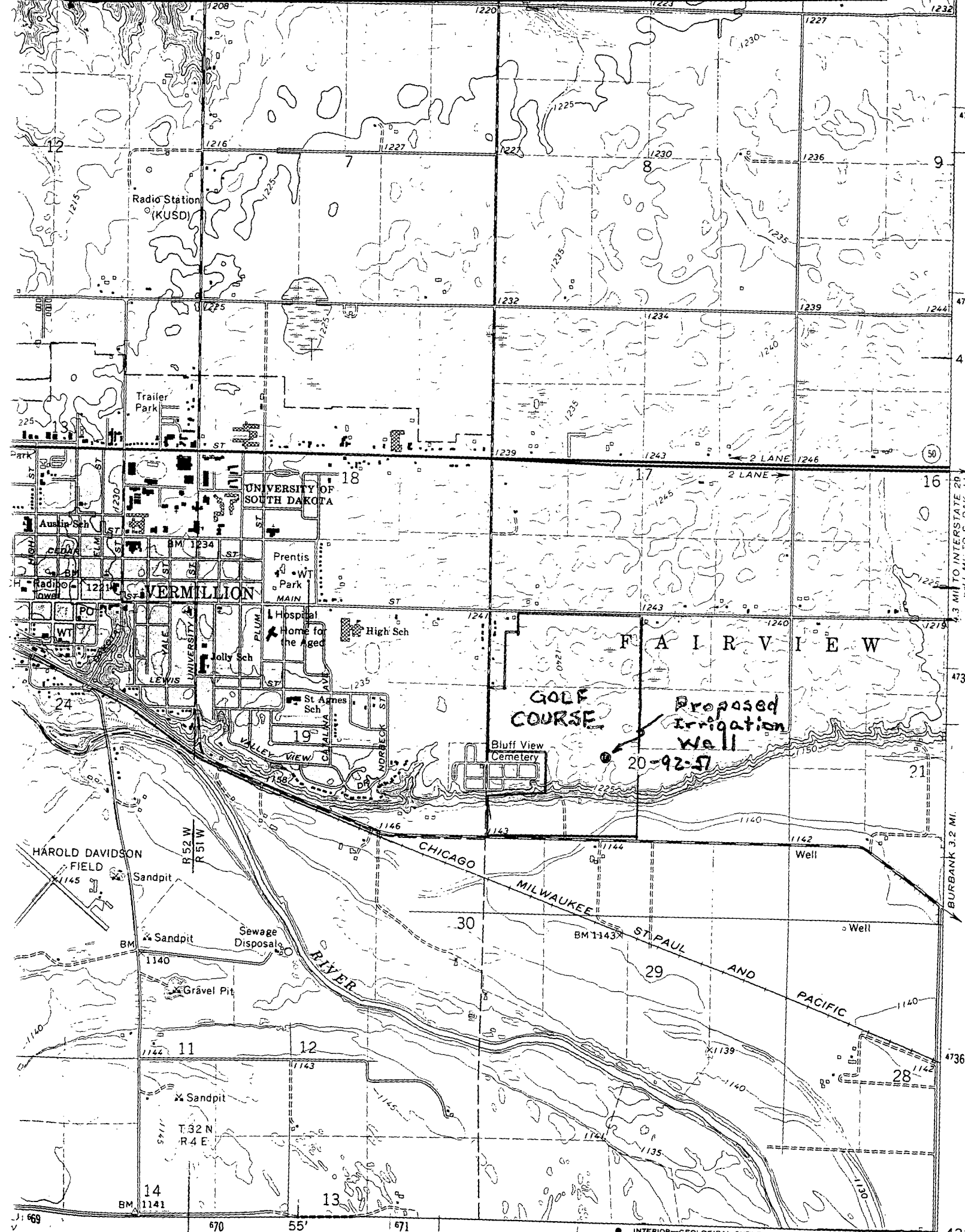
Wetmore Drilling, McCook Lake, S.D. will drill the test well and provide a drilling log for our application.

Please send necessary application forms. If you have any questions please contact me.

Sincerely,

J. W. Gillen, P.E.
City Engineer

cc: Mike Wetmore





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 31, 1994

J.W. Gillen, PE
City Engineer
25 Center Street
Vermillion, SD 57069

Dear Mr. Gillen:

As requested in your October 28, 1994 fax, pursuant to South Dakota Well Construction Standard 74:02:04:21 (copy enclosed), the City of Vermillion is authorized to construct a test well in Section 20, T92N-R51W in Clay County. The test well will be from 185 to 220 feet deep and completed into the Lower Vermillion Missouri aquifer. The well must be constructed in accordance with South Dakota Well Construction Standards, and any wells or test holes that will be abandoned must also be plugged pursuant to those same standards. This authorization is for testing purposes only and does not constitute issuance of a water permit. I believe the water permit application forms have already been sent you.

If there are any questions, or if I can be of further assistance, please feel free to contact me.

Very truly yours,

for ✓ Jim Goodman
Natural Resources Engineer IV
for John Hatch, CHIEF ENGINEER
Water Rights Division
(605) 773-3352

enclosure

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 NW 1/4 Sec 20 Twp 92 Rg 51

County

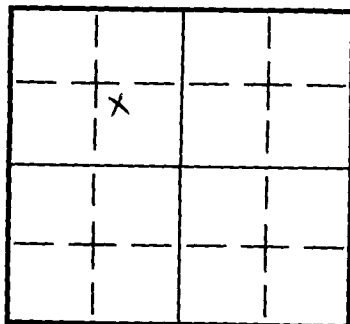
Clay

North

Please mark well location with an "X"

W

E

Well Completion Date 5-20-95

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 75 ft. from abandoned well (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200 psi</u> LB/FT	<u>8</u> IN	<u>90</u> FT	<u>170</u> FT	<u>12 1/4</u> IN
<u>160 psi</u> LB/FT	<u>8</u> IN	<u>0</u> FT	<u>90</u> FT	<u>12 1/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cmt</u>	<u>25</u>	<u>15.5</u> lb./gal	<u>10</u> ft.	<u>30</u> ft.
<u>Bent</u>	<u>50</u>	_____ lb./gal	<u>30</u> ft.	<u>170</u> ft.

Describe grouting procedure _____

Pumped w/ tremie pipeSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 8 IN Length 30 FEETMaterial PVCSlot Size 40 Set From 170 Feet to 200 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION:

Was well disinfected upon completion? ☒ YES, How: cl

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: City of Vermillion

Business Name: _____

Address: Vermillion, SD

WELL LOG:

DEPTH

FORMATION

FROM

TO

Top soil03Yel clay312blu clay1271boulder7172blu clay7289boulder8990blu clay90117Sand117134Sand & gravel134200STATIC WATER LEVEL 106 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: _____☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

109 ft. After 1 Hrs. pumped 254 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ 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 or Equitable Property Holder:

Joe Gillen City Engr.Date: 5-23-95

REPORT ON WATER PERMIT APPLICATION NO. 5880-3
for the City of Vermillion
September 21, 1995

Application No. 5880-3 proposes to appropriate 1.11 cfs (500 gpm) from one well approximately 200 feet deep located in the SE 1/4 NW 1/4 of section 20, T92N R51W in Clay County. The water will be pumped from the well into a storage pond holding approximately 32 acre feet and used to irrigate 73.4 acres located in the NW 1/4, N 1/2 SW 1/4 of section 20, all in T92N R51W.

AQUIFER - LOWER VERMILLION MISSOURI (LVM)

The Lower Vermillion Missouri is a buried glacial outwash (sand and gravel) which under confined or artesian conditions at this site. The aquifer underlies 100,800 acres and contains an estimated 1.512 million acre feet of recoverable water in storage in Clay County (Hedges, 1982). The aquifer is hydraulically connected to the Missouri Elk Point aquifer to the south and to the Vermillion and Missouri Rivers. Ground water movement is from north to south in this area towards the Vermillion River (Christensen, 1967). The driller's log submitted with the application indicates the aquifer top at 117 feet with sand and gravel to a depth of 200 feet below land surface. The completed well has a static water level of 106 feet below land surface and was capable of producing 256 gpm with 3 feet of drawdown. This equates to a specific capacity of 85 gpm/ft of drawdown.

The Water Rights Program monitors 3 observation wells within 3 miles of this application. Two of these are completed into the Missouri Elk Point aquifer and one (CL-66B) is completed into the Lower Vermillion Missouri aquifer. A hydrograph for CL-66B is included with this report. In general, water levels do respond to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1995).

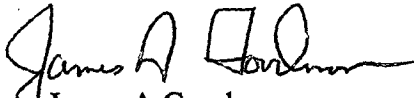
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing permitted diversion is about 1/2 mile southeast of this application. That is an irrigation well authorized by Water Right No. 671-3. Interference is not a concern. The aquifer is thick and large specific capacities are common. Drawdown caused by pumping should not be significant and should extend very far from individual production wells.

CONCLUSIONS

1. Water is available from the Lower Vermillion Missouri aquifer.
2. The aquifer is buried and under slight artesian conditions. Drawdown will occur as a result of pumping but should not be significant. Interference is not a concern.

3. This well is constructed in accordance with SD Well Construction Standards.
4. The diversion rate from the pond to the irrigated lands cannot exceed a rate of 1.05 cfs in accordance with SDCL 46-5-6.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

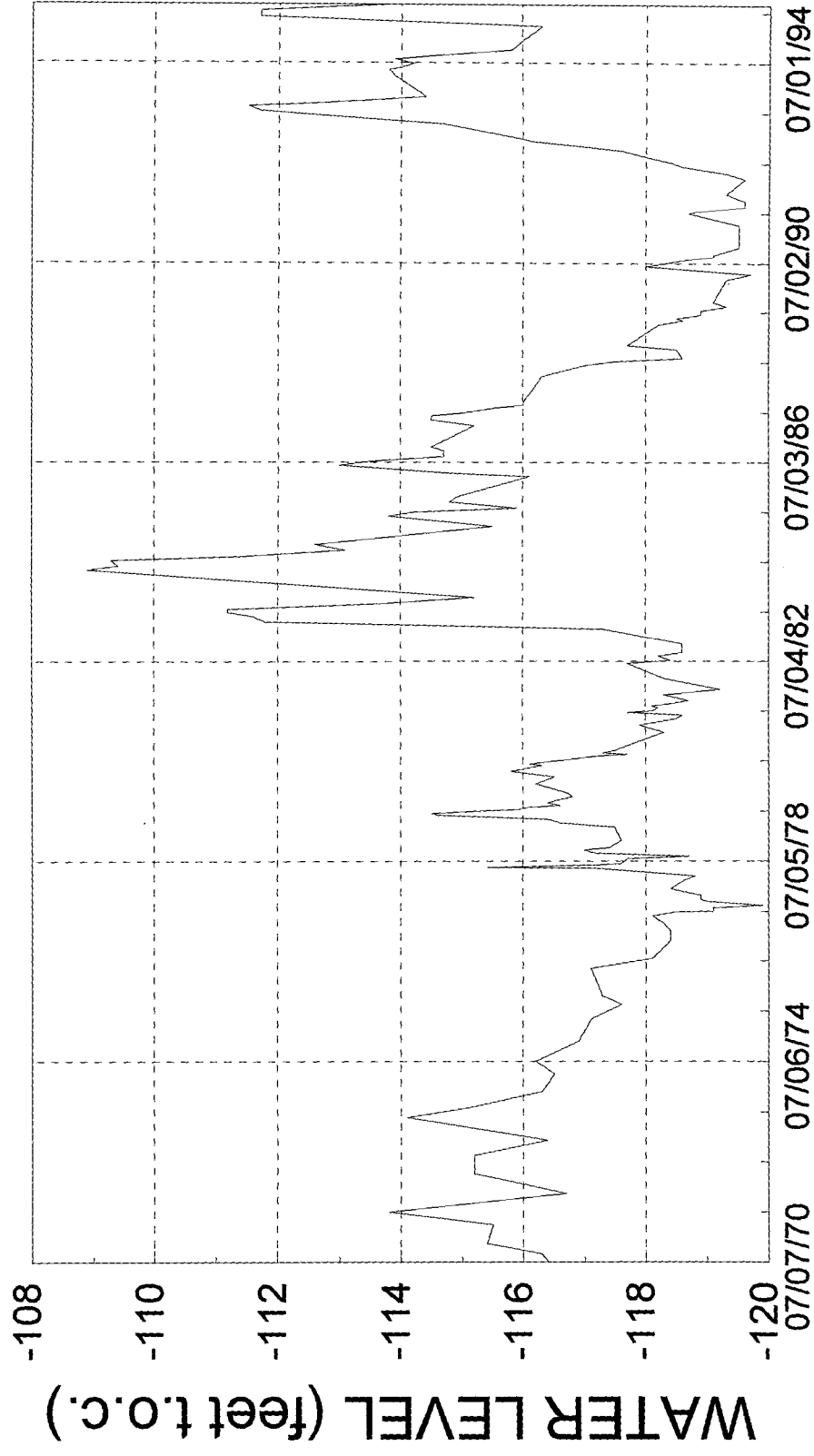
Christensen, C.M., J.C. Stephens, 1967, Geology and Hydrology of Clay County South Dakota, Bulletin 19, SD DENR, SDGS, Vermillion, SD, 57069.

Hedges, L.S., etal, 1982, Evaluation of Ground -Water Resources South Dakota and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1995, Unpublished Observation Well Records for Clay County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS OBSERVATION WELL

CL-66B



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5880-3, City of Vermillion**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5880-3, City of Vermillion, %Joseph Gillen, City Engineer, 25 Center Street, Vermillion, SD 57069.

The Chief Engineer is recommending APPROVAL of Application No. 5880-3 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 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.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Water Permit No. 5880-3 authorizes a pond with a storage capacity of approximately 32 acre feet of water. The dam may be filled one or more times per year.
4. Water Permit No. 5880-3 limits the diversion rate from the 32 acre feet pond for irrigation of 73.4 acres to 1.05 cfs (470 gpm).

See report on application for additional information.



JOHN HATCH, Chief Engineer
October 5, 1995



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

October 10, 1995

Joseph Gillen, City Engineer
City of Vermillion
25 Center Street
Vermillion, SD 57069

Dear Mr. Gillen:

Water Permit Application No. 5880-3 for irrigation of golf course 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 Plain Talk printed at Vermillion, SD (Ph # 605-624-2695). 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/ks

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 10, 1995

Plain Talk
Box 256
Vermillion, SD 57069-0256

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5880-3 to be published twice. Please publish the first notice on October 20, 1995, 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 City of Vermillion, %Joseph Gillen, City Engineer, 25 Center Street, Vermillion, SD 57069 (Ph # 605-677-7050).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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 /KS

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on October 20, 1995, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5880-3 to Appropriate Water

Notice is given that the City of Vermillion, 25 Center Street, Vermillion, SD 57069 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second from one well (Lower Vermillion:Missouri Aquifer) 200 feet deep located in the SE 1/4 NW 1/4 Section 20-T92N-R51W. Water will be pumped from the well into a storage pond of approximately 32 acre-feet capacity to irrigate 73.4 acres located in the NW 1/4, N 1/2 SW 1/4 Section 20-T92N-R51W. The pond will also receive incidental surface runoff.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5880-3 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 Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 6, 1995.

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 Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
 County of Clay)

I, Michelle A. Wilson

certify that the attached printed Notice was
 taken from the Plain Talk

printed and published in Vermillion

County of Clay and State of

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

October 29, 1995

October 27, 1995

Cost of Printing: \$34.81



**NOTICE OF APPLICATION
 NO. 5880-3 to Appropriate Water**

Notice is given that the City of Vermillion, 25 Center Street, Vermillion, SD 57069 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second from one well (Lower Vermillion: Missouri Aquifer) 200 feet deep located in the SE 1/4 NW 1/4 Section 20-T92N-R51W. Water will be pumped from the well into a storage pond of approximately 32 acre-feet capacity to irrigate 73.4 acres located in the NW 1/4, N 1/2 SW 1/4 Section 20-T92N-R51W. The pond will also receive incidental surface runoff.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5880-3 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 Program, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 6, 1995.

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 Program address to request copies of information pertaining to this application.

**Nettie H. Myers, Secretary
 Department of Environment and
 Natural Resources
 Publish: October 20 & 27, 1995**

Michelle A. Wilson
 (Signature)

secretary

(Title)

10-27-95

(Date Signed)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 18 1995

Joseph Gillen, City Engineer
City of Vermillion
25 Center Street
Vermillion, SD 57069

Dear Mr. Gillen:

Enclosed is Water Permit No. 5880-3 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 Program
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.

5880-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: CITY OF VERMILLION, JOSEPH W GILLEN, CITY ENGINEER, 25 CENTER ST,
VERMILLION, SD 57069

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

SUBJECT: Violation of Water Permit No(s). 5880-3

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 5880-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 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(s) 5880-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 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) 5880-3 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 February 28, 1997, 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.

ted 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:

CITY OF VERMILLION
JOSEPH W GILLEN, CITY ENGINEER
25 CENTER ST
VERMILLION SD 57069

4a. Article Number

P378 080 583

4b. Service Type

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

7. Date of Delivery

2-5-97

Is your RETURN

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X. Sherry Howe

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

PS Form 3811, December 1994

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 19, 1997

5880-3

Joseph W Gillen, City Engineer
City of Vermillion
25 Center St
Vermillion, SD 57069

Dear Mr. Gillen:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, **Notice of Violation of Water Permit No. 5880-3.**

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

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit No. 5880-3, city of Vermillion

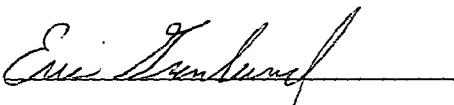
ADDRESS: COUNTY: Clay

DATE: March 27, 2003 TELEPHONE:

RE: Call from Harold Holoch

COMMENTS:

Mr. Holoch called me back with the production of the well authorized by Water Permit No. 5880-3. He indicated they conducted maintenance on the well last fall which included acidizing the well. They then test pumped the well and it produced 351 gallons per minute. He did indicate that the pump in the well is 6 – 7 years old.

NAME: 



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

JAN 18 2005

5880A-3

City of Vermillion
% Harold Holoch Utilities Engineer
25 Center St
Vermillion SD 57069

Dear Mr. Holoch:

Enclosed are Water Permit and Water License No. 5880A-3. The Water License is the final water right document completing your process of obtaining a Water Right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

NOTE: The applicable portions of No. 5880-3 are incorporated into Water License No. 5880A-3.

enclosures