

WATER PERMIT NO. 5888-3

Name of Applicant: 4-S Holding Co.

Address: Box 162, Pierre SD 57501

Phone: 605 224-2045

Amount of Water Claimed: 0.048 cfs (22 gpm)

Total Acres: NA

Source of Water Supply: groundwater (two wells)

Water to be used for: mobile home park County: Hughes

Type of Waste Disposal System: septic tanks with a lagoon

Location: 2 miles northeast of Pierre

PRIORITY Date Received: 10-18-95

Fee: \$50.00

Corrected Application Received: 10-24-95

Period of Annual Use: January 1 - December 31

Remarks: mobile home park - adjacent to Dell Acres

Diversion Point: NE 1/4 SE 1/4

Sec 18-T111N-R78W

Land to be Irrigated: NA

			18	⊗ ⊗	

Depth of Well: 94 feet and 100 feet

Well Driller: Dakota Boring Co.

Remarks:

Type of Map: aerial

Prepared by: James Oehlerking, P.E.

Reviewed and the Number Assigned on: 10-24-95

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

FORM 2: Application for uses other than irrigation

(type or print)



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

No. 888-3 Hydrologic Unit 10140101
Basin Missouri River
Newspaper Capital Journal, Pierre, SD
(office use only)

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

Check use of water:

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

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

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

1. Name of Applicant 4-S Holding Co Phone 605-221-2015
(check one) ☐ Owner ☐ Tenant/lessee

Mailing Address Box 162 Pierre S.D. State SD
(Street, RR, or Box) (City) (Zip Code)

2. Amount of water claimed 0.048 *CFS or 22 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply ground water N 1/2 SE 1/4 Sec. 18-T11N-R78W

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) All that portion of the

N 1/2 SE 1/4 of section 18, Township 11, Range 78 west of the 5th P.M. lying East of the dedicated land in
Plat Book 6, page 22 land lying North of Highway right of way County Hughes

5. County or counties where water will be used Hughes

6. Annual period during which water is to be used year round Jan 1 - Dec 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

mobile home park

except the East 214.5 feet of the S 1/2 N 1/2 NW 1/4 SE 1/4 and except
the East 214.5 feet of the N 1/2 N 1/2 NW 1/4 SE 1/4 and except Pierre
Canal lot PC-6.

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

STATE OF SOUTH DAKOTA)

County of Hughes)^{SS}

I, Stan Sakurkub 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 _____

Subscribed and sworn to before me this 18 day of Oct 19 95

Sandra Schwellenbach

Notary Public

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter #1 $6\frac{1}{2}$ " #2 $6\frac{1}{2}$ " Depth #1 $94\frac{1}{4}$ " #2 $100'$
- b) Casing Type plastic Diameter 4" Thickness $\frac{1}{2}$ "
- c) Screen Type plastic Diameter 4" Thickness $\frac{1}{4}$ "
- d) Gravel Pack Thickness #1 - N/A Length of Gravel Pack N/A
- e) Depth to Top of Water Bearing Material ~~#1 - 85'~~ #2 - $84'$ #1 - $79'$
- f) Depth to Water (ground surface to water level) #1 - $63'$ #2 - $76'$
- g) Distance to nearest existing domestic well:
On applicants property $300'$ On property owned by others $\frac{1}{2}$ mi

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Septic tanks with leach pits 120' x 120'
- b) System Capacity (gallons) _____ c) Year Constructed 1972
- d) Connected to the City of _____ Sanitary System.

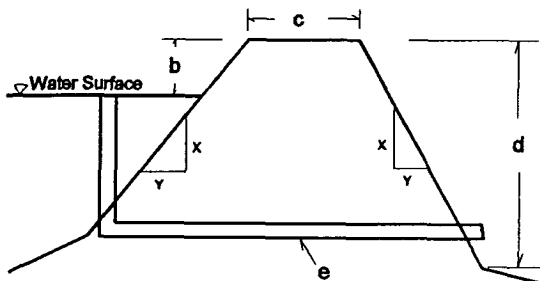
3. Dugout Information

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

4. 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. 5888-3**

Date of first receipt of application October 18, 1995.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5888-3 to 4-S Holding Co., Box 162, Pierre SD 57501 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. 5888-3 appropriates 0.048 cubic feet of water per second (22 gallons per minute) from two wells 94 feet and 100 feet deep (Pleistocene Unknown) located in the N 1/2 SE 1/4 Section 18-T111N-R78W.
2. The water appropriated shall be used for the purpose of supply a mobile home park and may not exceed the amount of water needed for beneficial use.
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. 5888-3 is January 16, 1996.
5. The date from which applicant may claim right is October 18, 1995.
6. One-fifth of the construction is to be completed on or before July 16, 1998.
7. All construction is to be completed on or before January 16, 2001.
8. Water is to be put to beneficial use on or before January 16, 2005.
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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

WATER MANAGEMENT BOARD

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

APR 3 1996
date



NOT TO SCALE



T8394

map 133

1 W/NHEL
250.0

#1 #2

M. James Oehlschlag
P.E., # 2722

T8661

18

T962

T963

1 W/NHEL
19.0

T616

2
32.8

1
10.5

T8625

3
111-78 29.0

DAKOTA BORING CO.

VERGIL H. WORM, Owner

Lebanon, S. D. 57455

Phone 768-2101

Date

July 10

, 198

72

Name

Albert Hart

Address

Pierre SD

Soil Log

Feet

Inches

Amount

94

4

505 00

Test Pumping

30 00

575 00

79 ft to Water

Gravel

68 ft to Water at 15 GPM

70 ft to Water at 20 GPM

78 ft to Water at 30 GPM

Casing was 4" diameter

Reperation Drilled hole

Probably 1 1/2 in hole

20 ft

was Gravel Packed

with Pea Gravel

All bills over 30 days

will be charged 1 1/2% interest.

over

No

4053

The Log would about
the same as the other
well

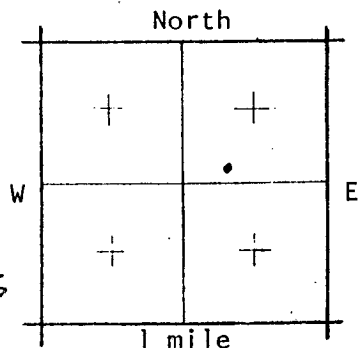
STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location NE 1/4 Sec 18 Twp 111 Rg 26

County Hughes

Please mark well location with an "X"

Dell Acres



Well Completion Date 1-4-84

PROPOSED USE:

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

Method of Drilling:

Rotary

WELL CONSTRUCTION:

Diameter of hole 6 1/2 inches Depth 100 feet

Casing: ☐ Steel ☒ Plastic ☐ Other

Specify 2000

Pipe Weight Diameter From To
lb/ft inches feet feet
lb/ft inches feet feet

Was a well screen used? ☒ Yes ☐ No

If Not Specify

Screen Type Plastic Slot Size 0.10

Length 20' Diameter 4"

Was Casing left open end? ☐ Yes ☒ No

Was a Packer or seal used? ☐ Yes ☒ No

If so what material?

Was well gravel packed? ☒ Yes ☐ No

Was well grouted? ☐ Yes ☒ No

Describe grouting procedure

To what depth? Feet

What was grouting material?

If cement, how many sacks?

Location of packer(s) and screen or perforated pipe

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☐ No

If so how and with what material?

Well Owner:

Name Gilbert Hart

Address Picore

Well Log:

Depth

Formation	From	To
Top Soil	0	2
Yellow Clay	2	25
Blue Clay	25	77
gravel-Clay & Shale layers	77	90
Shale	90	100

STATIC WATER LEVEL 76 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 off?

WELL TEST DATA:

☒ Pumped

☐ Bailed

Describe: Sub

☐ Other

Pumping Level Below Land Surface

24 ft. After 4 1/2 Hrs. pumped 20 GPM

ft. After Hrs. pumped GPM

ft. After Hrs. pumped GPM

Remarks:

This well was drilled under license # 234

and this report is true and accurate.

Dakota Basin Drilling Firm Signed by Paul Wilson

1-14-84
Date

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: 4-S Holding Company, Stan Schwellenbach

ADDRESS: Pierre SD COUNTY: Hughes

DATE: 10-23-95 TELEPHONE: 605 224-2045

RE: Pending applications

COMMENTS:

Stan Schwellenbach called concerning his pending application. I told him we needed copies of the well logs, if he had them available. He said he thought he had some information from Virgil Worm that would be what we needed. (I checked our files and did not find any well logs).

Mr. Schwellenbach stated he was not sure about the amount of water used. He said Well #1 was the main well and Well #2 was used as a standby. He thought Well #1 was capable of producing about 14 gpm and that Well #2 was capable of about 7-8 gpm. He thought some of information he was submitted might tell us more. There are 34 mobile homes in the park. The well has a 3/4 horsepower pump.

Karen Schlaak

Karen Schlaak
Environmental Scientist

*Has 2 - 500 gallon pressure tanks. See Drinking
Water files.*

Eric Stenlund
10/24/95

REPORT ON WATER PERMIT APPLICATION NO. 5888-3
for 4-S Holding Company
November 8, 1995

Application No. 5888-3 proposes to appropriate 0.048 cfs (22 gpm) from two wells approximately 94 and 100 feet deep located in the N 1/2 SE 1/4 of section 18, T111N R78W in Hughes County. The water is to be used to supply a mobile home park.

AQUIFER - PLEISTOCENE UNKNOWN (PSU)

The aquifer is a buried glacial outwash (sand and gravel) which is under confined or artesian conditions at this site. The aquifer is a minor one which was partially mapped in the Hughes County Study (Hamilton, 1986) and was not considered to be significant. There is no estimate available for the amount of water in storage in the aquifer.

The Water Rights Program does monitor an observation well HU-80D completed into this aquifer and located about 1/2 mile south of this application. Water levels for this well do not show good response to climatic conditions. Water levels have gradually declined about 4 feet in the 15 years since the well was installed in 1980.

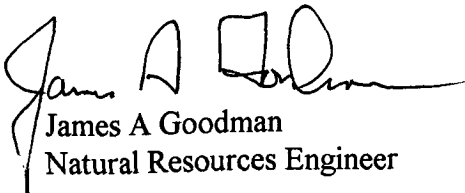
In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1995).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing Water Right No. 4567-3 (0.10 cfs) for suburban housing which obtains water from the same source and is located about 600 feet west of the wells for this application. Drawdown caused by pumping may overlap and thus cause interference but this is not expected to be adverse. These wells have been in use for many years with no apparent problems. The diversion rates are relatively small and the historical water level record does not indicate significant fluctuation. Also, there are other domestic wells in the area.

CONCLUSIONS

1. Water is available from the Pleistocene Unknown aquifer.
2. The aquifer is confined and under artesian conditions. Drawdown will occur as a result of pumping but is not expected to be significant. The observation well hydrograph indicates drawdown due to pumping is occurring but is not a concern.
3. Water levels have gradually declined in this area from this aquifer for about 15 years. The only permitted user is for suburban housing and other users are domestic wells in the area. The decline has only been about 4 feet in 15 years and does not appear to be significant. It is a concern, however, that the water levels do not appear to reflect climatic conditions.
4. The well information provided with the application indicates that the wells for this application are not completed in accordance with present SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

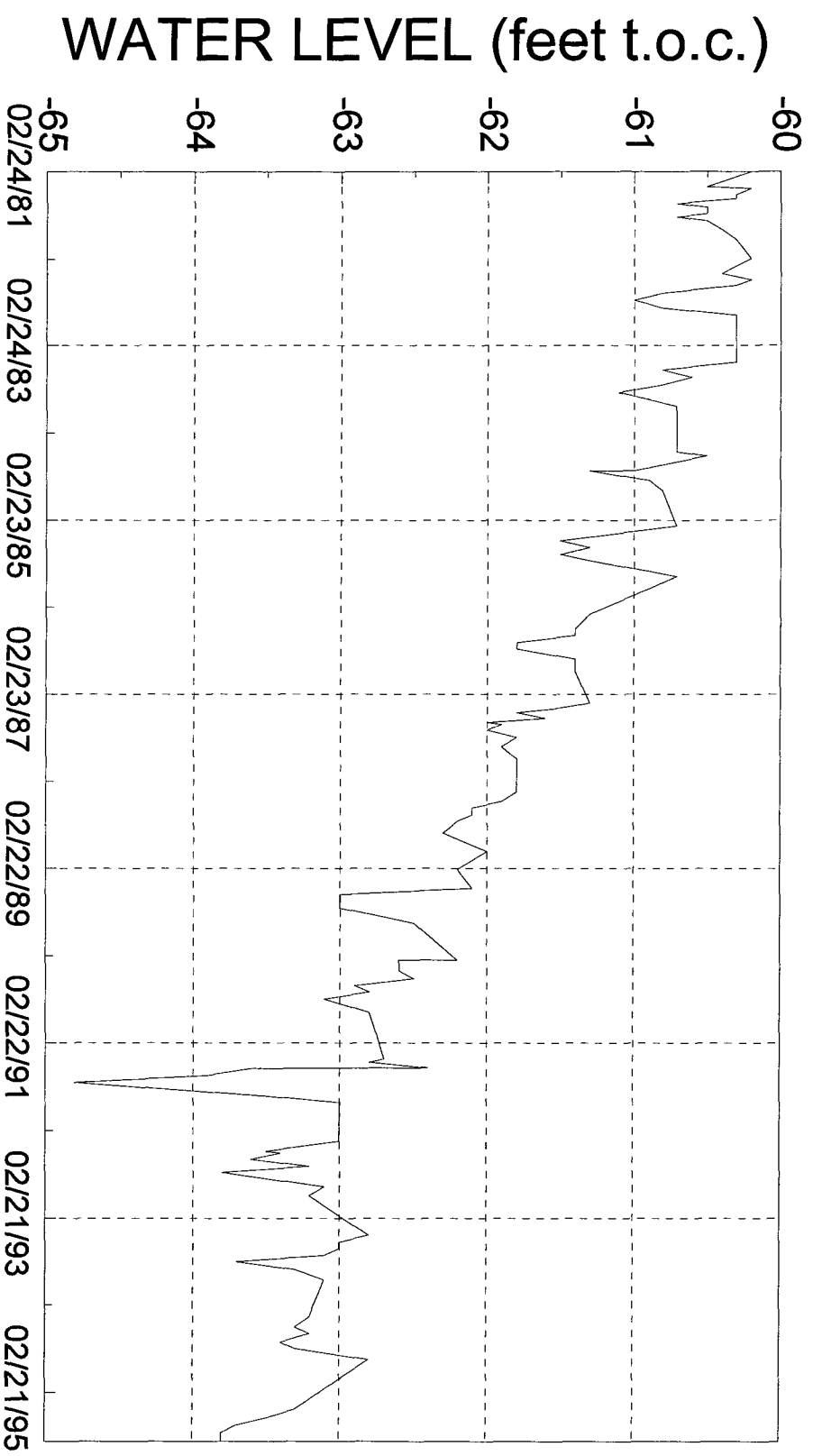
BIBLIOGRAPHY

Hamilton, L.J., 1986, Water Resources of Hughes County, South Dakota, Water-Resources Investigations Report 84-4195, USGS, Huron, SD, 57350.

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

WATER RIGHTS OBSERVATION WELL

HU-80D



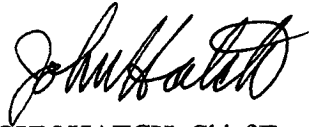
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5888-3, 4-S Holding Company

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. 5888-3, 4-S Holding Company, %Stan Schwellenbach, Box 162, Pierre, SD 57501.

The Chief Engineer is recommending APPROVAL of Application No. 5888-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

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

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized, cursive script.

JOHN HATCH, Chief Engineer
December 15, 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.

December 18, 1995

Stan Schwellenbach
4-S Holding Co.
Box 162
Pierre, SD 57501

Dear Mr. Schwellenbach:

Water Permit Application No. 5888-3 for mobile home park 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 Capital Journal printed at Pierre, SD (Ph # (605) 224-7301). 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

December 18, 1995

Capital Journal
P.O. Box 878
Pierre, SD 57501-0878

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5888-3 to be published twice. Please publish the first notice on December 29, 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 Stan Schwellenbach, 4-S Holding Co., Box 162, Pierre, SD 57501 (Ph # (605) 224-2045).

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
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 December 29, 1995, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5888-3 to Appropriate Water

Notice is given that 4-S Holding Co., Box 162, Pierre, SD 57501 has filed an application for a water permit to appropriate 0.048 cubic feet of water per second (22 gallons per minute) from two wells 94 feet and 100 feet deep (Pleistocene unknown) located in the N 1/2 SE 1/4 Section 18-T111N-R78W. The water is used to supply a mobile home park.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5888-3 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 January 16, 1996.

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.

No. 8910 2tdly 12/29, 1/5
NOTICE OF APPLICATION
NO. 5888-3

to Appropriate Water

Notice is given that 4-S Holding Co., Box 162, Pierre, SD 57501 has filed an application for a water permit to appropriate 0.048 cubic feet of water per second (22 gallons per minute) from two wells 94 feet and 100 feet deep (Pleistocene unknown) located in the N 1/2 SE 1/4 Section 18-T111N-R78W. The water is used to supply a mobile home park.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5888-3 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 January 16, 1996.

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)
 County of Hughes) SS

1. Peggy Warner

certify that the attached printed Notice was

taken from the Capital
Journal

printed and published in Pierre

County of Hughes and State of

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

December 29, 1995

January 5, 1996

Cost of Printing: 35.19

Peggy Warner
 (Signature)

Legal Ad Representative
 (Title)

January 8, 1996
 (Date Signed)



APR 3 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

4-S Holding Company
%Stan Schwellenbach
Box 162
Pierre, SD 57501

Dear Mr. Schwellenbach:

Enclosed is Water Permit No. 5888-3 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 may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 13, 1996

5888-3

4-S Holding Company
%Stan Schwellenbach
Box 162
Pierre, SD 57501

Dear Mr. Schwellenbach:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 5888-3, 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 inspection 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

414649

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 18, 19 95

RECEIVED OF Four-S Holding Co, Marmore Court, Box 162, Pierre, SD 57501

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

Fee for Application for Permit No. <u>5888-3</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

RECEIPT

415051

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ August 19, 19 96

RECEIVED OF 4-S Holding Company, P.O.Box 162, Pierre, SD 57501

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>5888-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

Permit No. 5888-3
Missouri 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

On, July 31, 1996, I made a thorough examination of the water use system constructed by 4-S Holding Company, c/o Stan Schwellenbach of Box 162, Pierre, SD 57501 holder of Permit No. 5888-3, bearing the priority of October 18, 1995 authorizing the diversion of 0.048 cu. ft. per second (22 gallons per minute) of ground water for suburban housing purposes, in Hughes County.

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

A. Works used to divert the water:

two ground water wells

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

water is transported through a water distribution system to the mobile homes

C. Works used to apply water to beneficial use:

**water from the wells is directed into two separate pressure tanks which inturn
pressurize the system**

The system is in the following condition good. The points of diversion are located in the NE1/4 SE1/4 Section 18, T111N, R78W (approximate location - Well No. 1 -- 2200 feet North and 1235 West, Well No. 2 -- 2420 feet North and 1235 West of SE corner on Section 18, T111N, R78W). The works are capable of diverting and conveying to the place of use 0.048 cu. ft. per second (22 gpm) of water which is to be used for suburban housing development. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.048 cfs (22 gpm).

Applicable permit qualifications have been complied with: Yes

Exceptions to compliance are: None



Eric Gronlund
DENR, Water Rights Program


Date

REPORT ON INVESTIGATION OF PERMIT NO. 5888-3, 4-S Holding
Company

DATE OF INSPECTION: July 31, 1996

Other permit(s) associated with the project: None

Contact Person & Address: Stan Schwellenbach, Box 162, Pierre, SD 57501

DIVERSION POINT LEGAL LOCATION: NE1/4 SE1/4 Section 18, T111N, R78W
(approximate location - Well No. 1 -- 2200 feet North and 1235 West, Well No. 2 -- 2420
feet North and 1235 West of SE corner on Section 18, T111N, R78W).

WATER SUPPLY Source: Ground Water (Pleistocene Unknown)

Well Information:

- | | |
|---|-------------------------------------|
| 1) Well Drilling Firm: <u>Dakota Boring</u> | 2) No. of Wells <u>2</u> |
| 3) Depth(s) <u>94 & 100</u> feet | 4) Well log is available <u>Yes</u> |

Casing:

- | | |
|-----------------------------|-------------------------|
| 1) Diameter <u>4</u> inches | 2) Length <u>#</u> feet |
| 3) Type <u>Plastic</u> | |

Screen:

- | | |
|-------------------------------------|--------------------------|
| 1) Type <u>Well No. 2 - Plastic</u> | 2) Length <u>20</u> feet |
| 3) Static water level feet | |

Pump: Information on Make and Type of Pump and Motor are not known

Capacity 15 and 7 GPM ***

Motor:

PERMIT QUALIFICATIONS AND REGULATIONS:

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

*** I was accompanied on the licensing investigation by Steve Swellenbach. He did not know the type of the pump or motor. They were obviously submersibles. He stated the Well No. 1 was there good producing well at 14 - 15 gpm while Well No. 2 produces between 7 - 8 gpm. Well water was diverted to separate pressure tank for each well. The pressure tanks appeared to be 500 gallons.

Well No. 1 was located in the backyard of Lot 1010 and on the concrete pad around the well is imprinted 1972, representing the year the well was drilled. Well No. 2 was located in Lot 1025.

There were also two well located just to the north of Well No. 2. Mr. Schwellenbach indicated that neither of the wells were used. They were low produces and not worth using. Both wells appeared capped.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5888-3

(1) 4-S Holding Company, PO Box 162, Pierre, SD 57501-0162 made Application No. 5888-3, October 18, 1995 for a water permit to divert 0.048 cubic feet of water per second from ground water (two wells), Hughes County, South Dakota for commercial purposes. Permit No. 5888-3, with a priority date of October 18, 1995 was approved January 16, 1996 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 16, 2001 and for the application to beneficial use of said water on or before January 16, 2005.

(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 0.048 cubic feet of water per second for beneficial use. The location of the diversion points are in the NE¼ SE¼ Section 18, T11N, R78W as described below:

- Well #1 - 2,200'N and 1,235'W of the SE corner of Section 18
- Well #2 - 2,420'N and 1,235'W of the SE corner of Section 18

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 4-S Holding Company, % Stan Schwellenbach, PO Box 162, Pierre, SD 57501-0162 the holder and/or owner of Water Permit No. 5888-3 is issued a license to appropriate water, the right to use 0.048 cubic feet of water per second from ground water (two wells) with a priority date of October 18, 1995 from the location specified in (2) of this license, for commercial purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 5888-3 and subject to South Dakota State Law.



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

OCT 16 1996
date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 16 1996

5888-3

4-S Holding Company
%Stan Schwellenbach
P.O. Box 162
Pierre, SD 57501-0162

Dear Mr. Schwellenbach:

Enclosed is Water License No. 5888-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415051 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. 5888-3, 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

gm
enclosures