

WATER PERMIT NO. 5902-3

Name of Applicant: City of Groton

Address: Box 587, Groton SD 57445-0587

Phone: 605 397-8422

Amount of Water Claimed: 0.39 cfs (add'l)

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: municipal use

County: Brown

Type of Waste Disposal System: NA

Location: within city limits

PRIORITY Date Received: 12-14-95

Fee: \$250.00

Corrected Application Received: 1-26-96

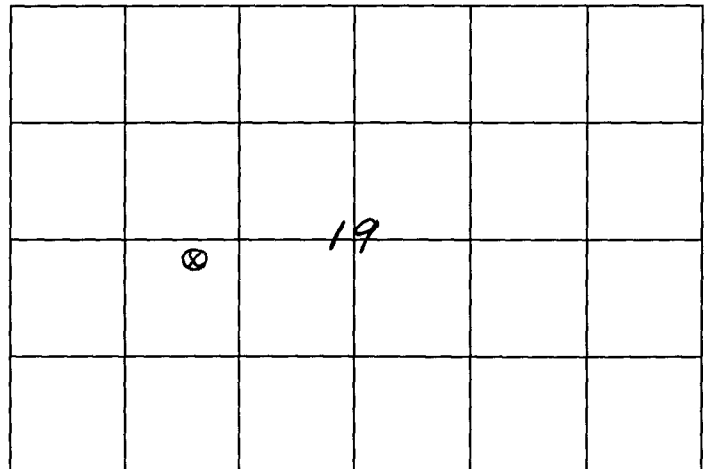
Period of Annual Use: Jan 1 - Dec 31

Remarks: Amend Vested Right No. 1649-3 (well no 3) from 125 gpm to 300 gpm (175 gpm add'l)

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

R60W

Land to be Irrigated: NA



Depth of Well:

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Ron Duvall

Reviewed and the Number Assigned on: 1-29-96

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. 5902-3 Hydrologic Unit 10160005
Basin James River
Newspaper Groton Independent, Groton, 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:

(check one)

☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 1649-3

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

Amend Vested right No. 1649-3 Well No. 3 From 125 gpm to 300 gpm

- Name of Applicant City of Groton Phone 397-8422
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address Box 587 Groton State S.D. 57445-0587
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 0.39 add'l *CFS or 175 add'l **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Artesian Wells 3 + 4
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
Sec. 19-T123N-R60W
SW 1/4 and SE 1/4 SW 1/4 Well Nos. 3 + 4
County Brown
- County or counties where water will be used Brown
- Annual period during which water is to be used year round Jan 1-Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

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 Brown)^{SS}

I, Daniel D. Johnson, 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

Daniel D. Johnson

Subscribed and sworn to before me this 23 day of October 19 95

Anta Lowary

Notary Public

My Comm Exp. 9/15/97

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter Unknown Depth Unknown
- b) Casing Type Concrete Diameter 10" Thickness Unknown
- c) Screen Type Unknown Diameter Unknown Thickness Unknown
- d) Gravel Pack Thickness Unknown Length of Gravel Pack Unknown
- e) Depth to Top of Water Bearing Material Unknown
- f) Depth to Water (ground surface to water level) Free Flowing
- g) Distance to nearest existing domestic well:
On applicants property 1/2 mile On property owned by others 1 mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ c) Year Constructed _____
- 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

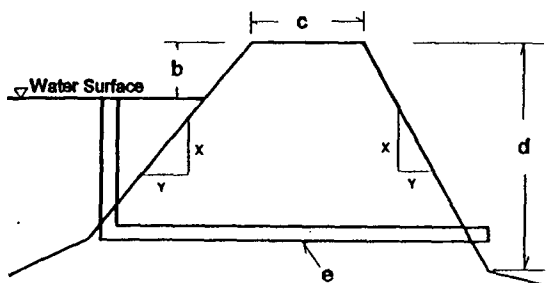
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



_____, 19____
(Print name)

**SOUTH DAKOTA
WATER PERMIT NO. 5902-3**

Date of first receipt of application December 14, 1995.

Date of return to applicant for corrections, amendments or changes December 20, 1995.

Date of receipt of corrected application January 26, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5902-3 to the City of Groton, PO Box 587, Groton SD 57445-0587 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. 5902-3 appropriates 0.39 cubic feet of water per second (cfs) (175 gallons per minute) (gpm) by increasing the diversion rate authorized by Vested Right No. 1649-3. Vested Right No. 1649-3 authorizes use of 0.13 cfs (58 gpm) from well No. 4 located in the SE 1/4 SW 1/4 Section 19-T123N-R60W and 0.27 cfs (125 gpm) from well No. 3 located in the NW 1/4 SW 1/4 Section 19-T123N-R60W. Well Nos. 1 & 2 are capped and will be plugged. This permit increases the water appropriation from well No. 3 from 0.27 cfs to 0.66 cfs (125 gpm to 300 gpm).
2. The water appropriated shall be used for the purpose of municipal use and may not exceed the amount of water needed for beneficial use for municipal 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. 5902-3 is March 25, 1996.
5. The date from which applicant may claim right is December 14, 1995.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used (directly or for storage purposes).
3. This permit is subject to Well Nos. 1 and 2 being plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

WATER MANAGEMENT BOARD

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

JUL 2 1996
date



Water Rights Program -- File Documentation

NAME: City of Groton

ADDRESS: 209 N Main, Groton SD 57445

DATE: August 9, 1995

COUNTY: Brown

TELEPHONE: 397-8422

RE: Inspection of Water Permit No. 5249-3 and Vested Water Right No. 1649-3

COMMENTS:

On May 10, 1995, a follow-up inspection was completed of the golf course authorized by Permit No. 5249-3 and the city wells authorized by Vested Right No. 1649-3. The vested water right was validated by the Water Management Board on September 30, 1992.

According to Dan Johnson, Water Superintendent, well Nos. 1 and 2 are capped and Nos. 3 and 4 are used for standby purposes. The city is currently supplied water by WEB rural water. Well No. 3 free flows at approximately 20 gpm to the city storm sewer and then into Mud Creek. Mr. Johnson indicated that well No. 3 can be pumped at a rate of 300 gpm. Well No. 4 free flows at 3 gpm and can be pumped at a rate of 60 gpm.

Based on a conversation between the city and Tim Schaal, staff engineer, the issue was raised whether a water permit was needed for irrigation for well No. 3 since water was being pumped from Mud Creek into the golf course holding pond. Mr. Johnson indicated that the reason the well was flowing was not for supplying water to the golf course. The concern with valving down the well or shutting off the well is whether the casing will collapse if the pump automatically turns on to supplement the WEB supply. I told Mr. Johnson during the inspection that the well flow needs to at least be reduced to a minimum.

I spoke to Tom Mahan regarding Water Permit No. 5249-3 for the golf course. According to Mr. Mahan, the irrigation system irrigates up to 30 acres using a low pressure sprinkler system as specified in the permit file. Water is diverted at a rate of 250 gpm with 135,000 gallons diverted during a pump cycle.

RECOMMENDED ACTION:

- On September 30, 1992, Vested Water Right No. 1649-3 was validated. However, the original validation publication contained errors concerning the legal description of the wells. The section number should be 19 rather than section 20 and the wells maintained for standby (Well Nos. 3 and 4) are located in the NW1/4 SW1/4 and SE1/4 SW1/4. Well Nos. 1 and 2 are capped and should not be included in the readvertisement.

August 9, 1995
City of Groton

No. 1649-3
No. 5249-3

- The two capped wells should be plugged provided the city has no intention of using the wells in the future.
- Well No. 3 is capable of producing 300 gpm according to Mr. Johnson. The permitted pump rate is 125 gpm as specified on Vested Right No. 1649-3. The city has the option of either limiting the pump rate to 125 gpm or applying for a permit to increase the permitted diversion rate to 300 gpm.
- The 20 gpm flow from well No. 3 needs to be reduced to a minimum (if some flow is needed to prevent freeze up) or shut off if freezing is not a concern. It is possible to modify the construction of the well to allow the pump to turn on without damaging the casing. According to Jim Goodman, staff engineer, the City of Rapid City has flowing wells equipped in this manner. A licensed well driller familiar with flowing well systems should be able to assist the city.
- Permit No. 5249-3 authorizes use of Mud Creek flows to fill a reservoir via gravity for purposes of irrigating the golf course. This permit does not authorize the pumping of Mud Creek flows to fill the golf course reservoir. If the city intends to pump water from Mud Creek to the reservoir, then another permit will be needed to allow the pumping.



Ron Duvall, Natural Resources Engineer
Water Rights Program



August 14, 1995

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Gerald Rix, Mayor
City of Groton
PO Box 587
Groton SD 57445

Dear Mayor Rix:

On May 10, 1995, I completed an inspection of a water permit (No. 5249-3) for the city golf course and a vested right (No. 1649-3) for the city's standby water supply. I am writing to inform you of the inspection results and what follow-up is needed. I would also like to thank Dan Johnson and Tom Mahan for their assistance during the inspection.

While reading this letter, please refer to the attached "File Documentation" dated August 9, 1995, and the aerial photo as needed. The file documentation is a summary of the inspection results and the map shows the location and numbering of the city wells. I will be referring to each of the recommended actions in the order presented in the "File Documentation."

1. As required by law, all vested water right claims in South Dakota needed to be validated. This process involved publication of a notice in the newspaper and then action by the Water Management Board. I discovered that the notice for the City of Groton was published incorrectly because the legal description of the wells was inaccurate. As you can see on the aerial photo, the wells are located in section 19, not section 20. We will pay the cost of readvertisement and will forward a copy of the publication to you for your review.
2. The capped wells (Nos. 1 and 2) need to be removed from Vested Water Right No. 1649-3. In order to retain a water right in South Dakota, continuous use (at least once every three years) of the water is necessary. However, wells (Nos. 3 and 4) equipped with functional motors and pumps can be maintained for standby use without forfeiting the water right. If the city has no intention of using the capped wells in the future, then the wells should be permanently plugged. Attached is a copy of the well construction standards which also specifies how to plug wells. Please advise what the city intends to do with the wells.
3. Vested Right No. 1649-3 authorizes use of 0.13 cubic feet of water per second (58 gallons per minute) from well No. 4 and 0.27 cfs (125 gpm) from well No. 3. According to Mr. Johnson, well No. 4 is capable of diverting approximately 58 gpm; however, well No. 3 diverts approximately 300 gpm. This exceeds the permitted diversion rate by 175 gpm (300 actual minus 125 permitted.) The city has several options available to address this situation:

August 14, 1994
Gerald Rix, Mayor of Groton
Page 2 of 2

- ✓ The city can reduce the pump capacity to the permitted amount of 125 gpm,
- ✓ The city apply for a new permit for the additional diversion rate of 175 gpm, or
- ✓ The city can apply for another vested right for the additional diversion rate of 175 gpm provided the well was producing 300 gpm prior to February 28, 1955.

I am enclosing a blank set of application forms with instruction sheets. These forms may be used to apply for either a new permit or for a vested right. Please advise which of these options the city intends to pursue.

4. According to South Dakota Codified Law 46-1-4 and 46-6-14, the waste of water from a large capacity flowing well is not allowable. Steps need to be taken to reduce or shut off the 20 gpm free flow from well No. 3. I believe Mr. Johnson's concern with shutting the well down was the potential for damaging the well if the pump started operating. It is possible to equip artesian wells so that the wells do not flow free and the pump can turn on and off as needed. If the well is used infrequently, it may be easier to disarm the automatic switch and then start the pump on-site after restoring the free flow. Please advise what action the city will take.
5. I have enclosed a set of application forms if the city plans on pumping water from Mud Creek into the golf course holding pond. Permit No. 5249-3 only allows the golf course to be filled when the water level is sufficiently high in Mud Creek to fill the pond by gravity. I would also like to be advised of how much water can be impounded in the golf course pond.

If you have any questions or need assistance with application forms, please don't hesitate to contact me. I will do whatever I can to assist you with these issues.

Sincerely,



Ron Duvall
Natural Resources Engineer
Water Rights Program

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 20, 1995

Daniel Johnson, Water Superintendent
City of Groton
PO Box 587
Groton SD 57445

Dear Mr. Johnson:

Thank you for receipt of the two water permit applications on December 14, 1995. I have a few points that need clarification and then we can begin processing your applications.

If you wish, you may respond to my questions in the blank space provided after each question and then return the letter in the postage-paid return envelope. Please call me at (605) 773-3352 if you need assistance. I know this can be confusing and we can go through each question over the phone if it will help you.

Municipal Use Application

1) The \$250.00 application fee is correct if you are applying for a new permit. However, an "Affidavit of Water Use" has been included with your application indicating you intend to claim a vested water right rather than a new permit. The application fee for a vested right is \$15.00. Please understand that a vested water right may be claimed only if the 300 gpm was being used as of February 28, 1955. According to your existing vested right claim, Well No. 3 (125 gpm) has a priority date of 1950.

- Are you intending to apply for a new permit as suggested by your \$250.00 application fee?
Yes ☐ No ☐ If yes, you can skip the following two questions.
- Was the original vested right claim accurate when claiming 125 gpm or was an error made on the original claim?

I believe this was accurate. 125 gpm

- If the original claim is correct, did the pump rate increase on or before February 28, 1955? If the pump rate did increase, please indicate when.

Pumping rate increased to 300 GPM in 1979-1980

(continued)

December 20, 1995

Daniel Johnson, Water Superintendent

Page 2 of 2

Enclosed is your check for \$250.00. If you are planning to apply for a new permit, then please return the enclosed check with your answers. Otherwise, a check for \$15.00 is needed if you plan to claim a vested right.

Golf Course Application

- 1) An application fee of \$150.00 is needed for the golf course application.
- 2) During drought conditions, will well No. 3 be diverted at full capacity (300 gpm) to fill the golf course holding pond? Yes ☒ No ☐ If less than 300 gpm, how much? _____ gpm
- 3) Please identify on the enclosed aerial photo the pumping point locations of water originating from well No. 3 and water originating from runoff and Mud Creek.

In my August 14, 1995, (copy enclosed) letter to Mayor Rix, I also asked some other questions for which I have not received a response.

- What are the city's plans for capped wells No. 1 and 2? If the wells are abandoned, then they need to be plugged as required by state law.

Wells will be plugged, have ~~an~~ contacted Huron Drilling, and plan to contact others. Depending on finances, hopefully wells can ~~be~~ plugged in 1996 or 1997. D.J.

- Have steps been taken to reduce or shut off the 20 gpm free flow from well No. 3? As noted in my earlier letter, construction methods are available to safely allow the pump to turn on and off without damaging the well.

I plan to have well drillers look at this, ~~as~~ when they come to plug the wells. I am also working with Olsen Drilling (Huron) on this matter. Dan Johnson

Again, please contact me at (605) 773-3352 for assistance if it will make this process easier. Thank you for cooperation.

Sincerely,



Ron Duvall
Natural Resources Engineer
Water Rights Program

enclosures

c: ✓ Gerald Rix, Mayor
Tom Mahan



January 11, 1996

Ron Duvall
Natural Resources Engineer
Water Rights Program
Pierre, SD 57501-3181

Dear Ron,

Water from Well #3, is pumped down the storm sewer as indicated on the areial map enclosed. The water is then diverted across Railroad Avenue to the north, through a culvert. The water then flows east to the Golf coarse pond, where it is then pumped into the holding pond.

Mud Creek flows enter the Golf coarse pond when the creek level reaches approximately four feet deep. It then back flows into the holding pond.

Water from Fouth St. drainage, flows through the Golf Coarse, untill it reaches the holding pond. The water then is pumped into the holding pond. When the holding pond reaches it's maximum level, water then flows into Mud Creek through a concrete bridge across Railroad Ave.

I hope this will help explain the flows we use for the irrigation of the Golf Coarse. If you have any questions please contact me.

Sincerely,

Dan Johnson
City Foreman and Water Supt.
City of Groton, S.D.
397-2690



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 1996

Daniel D. Johnson
City of Groton
Box 587
Groton SD 57445-0587

Dear Mr. Johnson:

We have received the two water permit applications for the City of Groton. The filing fee for the application to amend Vested Water Right No. 1649-3 is \$250.00. The filing fee for the additional source of water for Water Permit No. 5249-3 is \$150.00. The total for the two applications is \$400.00.

If you have any questions, please contact Ron Duvall or me.

Sincerely,

Karen Schlaak
Environmental Scientist
605 773-3352

RECEIPT

414769

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ January 26, 19 96

RECEIVED OF City of Groton, PO Box 587, Groton, SD 57445-0587

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

Fee for Application for Permit No. <u>5902-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	250	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	259 00

By John H. Hild
Chief Engineer

REPORT ON WATER PERMIT APPLICATIONS NOS. 5902-3 & 5905-3
for the City of Groton
February 22, 1996

Water Permit Application No. 5902-3 proposes to appropriate 0.39 cfs (175 gpm) by increasing the diversion rate authorized by Vested Right No. 1649-3. Vested Right No. 1649-3 authorizes use of 0.13 cfs (58 gpm) from well No. 4 located in the SE 1/4 SW 1/4 of section 19, T123N R60W with a priority date of January 1, 1948 and 0.27 cfs (125 gpm) from well No. 3 located in the NW 1/4 SW 1/4 of section 19, T123N R60W with a priority date of January 1, 1950. Wells Nos. 1 & 2 are capped and will be plugged. This application proposes to increase the water appropriation from well No. 3 from 0.27 cfs to 0.66 cfs (125 gpm to 300 gpm). This notice also serves as readvertisement of the wells authorized by Vested Right No. 1649-3 to identify the correct location of the two wells as described above. The wells were incorrectly advertised in a notice published on August 26 and September 2, 1992 as being located in Section 20. The City of Groton is connected to WEB Rural Water. These wells are used for standby purposes by the City.

Water Permit Application No. 5905-3 proposes additional diversion points to irrigate lands authorized by Water Permit No. 5249-3. Water Permit No. 5249-3 appropriates 1.6 cfs from a holding pond (approximately 20 acre feet of storage) located in the SE 1/4 SE 1/4 of section 19 and the SW 1/4 SW 1/4 of section 20; all in T123N R60W. An investigation of Water Permit No. 5249-3 found up to 30 acres being irrigated with additional water sources from city runoff and city well No. 3 being used for irrigation. This application proposes to pump city runoff flows into the holding pond at a rate of up to 20,000 gpm (44.54 cfs). The diversion point for the city runoff flows and from Mud Creek is located in the SE 1/4 SE 1/4 of section 19, T123N R60W. During low water conditions, ground water may also be pumped (up to 0.66 cfs) from city well No. 3 into the City's storm sewer system and then into the holding pond.

AQUIFER - DAKOTA FORMATION (DKOT)

The Dakota Formation consists of interbedded sandstone and shale. The aquifer is confined and under artesian conditions. The City wells are free flowing wells. The aquifer underlies 1750 square miles and contains an estimated recoverable 25.2 million acre feet of recoverable water in storage in Brown County (Hedges, 1982). The aquifer is areally extensive into all surrounding counties and into North Dakota. In fact, the storage capacity of the Dakota Formation in South Dakota is estimated at 1.1 billion acre feet (Schoon, 1971).

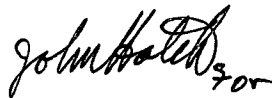
The Water Rights Program does measure a Dakota Formation observation well ED-85A which is located about 32 miles west of Groton. Water levels for this well have remained nearly constant or even risen slightly since the well was drilled (Water Rights, 1996). Generally, however, water levels for the Dakota Formation have declined for many years. Schoon reports a decline of 300 to 350 feet in the James River Lowlands and attributed most of the decline to improperly constructed and maintained wells. Most of the decline occurred in the early part this century.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights in this area except for the rights belonging to the City of Groton. The city will be plugging wells Nos. 1 & 2 and will be maintaining wells Nos. 3 & 4 for backup purposes. There are numerous domestic wells in the area. Interference should not be a concern. The city will only be using the well for irrigation purposes when necessary. Since the city is supplied with WEB Rural Water the overall water use from the Dakota Formation will be less. On the occasion when the city would pump at a rate of 300 gpm, drawdown will be created but this should not adversely affect the water supply from the aquifer. It may be necessary to lower or install pumps if the water level is lowered below the ground surface or below the pump.

CONCLUSIONS

1. Water is available from the Dakota Formation.
2. The aquifer is confined and under artesian conditions. The two remaining city wells are free flowing at the land surface. These wells must be controlled and shut in when not in use in order to prevent the waste of water.
3. Interference is not expected to be a concern. Drawdown will occur as a result of this diversion but this should not be significant.
4. The city of Groton will be plugging wells Nos. 1 & 2.
5. These applications are a result of an inspection of the water permits for the city of Groton. Approval of these applications will allow licensing of the water permits for the city to reflect the as built water distribution system. The maximum ground water diversion from the Dakota Formation would be 0.66 cfs.



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, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Schoon, R.A., 1971, Geology and Hydrology of the Dakota Formation in South Dakota, Report of Investigations No. 104, SDGS, Vermillion, SD, 57069.
- Water Rights, 1996, Unpublished Observation Well Records for Dakota Formation, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

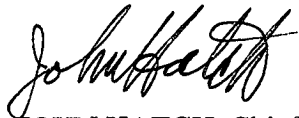
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5902-3, City of Groton**

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. 5902-3, City of Groton, c/o Daniel D. Johnson, Box 587, Groton, SD 57445-0587

The Chief Engineer is recommending APPROVAL of Application No. 5902-3 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 qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used (directly or for storage purposes).
3. This Permit is subject to Well Nos. 1 and 2 being plugged in accordance with Water Management Board Rules, Chapter 74: 02:04.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", is written over a horizontal line.

JOHN HATCH, Chief Engineer
February 23, 1996



**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.

February 27, 1996

City of Groton
%Daniel D. Johnson
Box 587
Groton, SD 57445-0587

Dear Mr. Johnson:

Water Permit Application Nos. 5902-3 and 5905-3 for municipal use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Groton Independent printed at Groton, SD (Ph # (605) 397-2676). 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

February 27, 1996

Groton Independent
Box 588
Groton, SD 57445-0588

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5902-3 and 5905-3 to be published twice. Please publish the first notice on March 7, 1996, 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 Groton, %Daniel D. Johnson, Box 587, Groton, SD 57445-0587 (Ph # (605) 397-8422).

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 March 7, 1996, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 5902-3 and 5905-3 to Appropriate Water
and Readvertisement of Vested Right No. 1649-3

Notice is given that the City of Groton, Box 587, Groton, SD 57445-0587 has filed applications for the following water permit applications:

Water Permit Application No. 5902-3 requests to appropriate 0.39 cubic feet of water per second (cfs) [175 gallons per minute (gpm)] by increasing the diversion rate authorized by Vested Right No. 1649-3. Vested Right No. 1649-3 authorizes use of 0.13 cfs (58 gpm) from well no. 4 located in the SE 1/4 SW 1/4 Section 19-T123N-R60W with a priority date of January 1, 1948, and 0.27 cfs (125 gpm) from well no. 3 located in the NW 1/4 SW 1/4 Section 19-T123N-R60W with a priority date of January 1, 1950. Well nos. 1 & 2 are capped and will be plugged. This application proposes to increase the water appropriation from well no. 3 from 0.27 cfs to 0.66 cfs (125 gpm to 300 gpm). This notice also serves as readvertisement of the wells authorized by Vested Right No. 1649-3 to identify the correct location of the two wells as described above. The wells were incorrectly advertised in a notice published on August 26 and September 2, 1992, as being located in Section 20. The City of Groton is connected to WEB Rural Water. These wells are used for standby purposes by the City.

Water Permit Application No. 5905-3 requests additional diversion points to irrigate lands authorized by Water Permit No. 5249-3. Water Permit No. 5249-3 appropriates 1.6 cfs from a holding pond (approximately 20 acre-foot storage capacity) located in the SE 1/4 SE 1/4 Section 19 and the SW 1/4 SW 1/4 Section 20 to irrigate 112 acres of a golf course located in the SE 1/4 Section 19 and the SW 1/4 SW 1/4 Section 20; all in T123N-R60W. An investigation of Permit No. 5249-3 found up to 30 acres being irrigated with additional water sources from city runoff and city well no. 3 being used for irrigation. This application proposes to pump city runoff flows into the holding pond as well as flood flows from Mud Creek. During high runoff conditions, water may be pumped into the holding pond at a rate of up to 20,000 gpm (44.54 cfs). The diversion point for the city runoff flows and from Mud Creek is located in the SE 1/4 SE 1/4 Section 19-T123N-R60W. During low water conditions, water may also be pumped (up to 0.66 cfs) from well no. 3 located in the NW 1/4 SW 1/4 Section 19-T123N-R60W, diverted through the City's storm sewer system and into the holding pond.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5902-3 and 5905-3 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 March 25, 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 Brown) SS

I, Spice Walter

certify that the attached printed Notice was
 taken from the The Groton Independent

printed and published in Groton, SD

County of Brown and State of

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

3-7-96

3-14-96

Cost of Printing: \$56.20

Spice Walter
 (Signature)

Office Manager
 (Title)

3-14-96

(Date Signed)



Notice of Application Nos. 5902-3 and 5905-3 to Appropriate Water and Readvertisement of Vested Right No. 1649-3

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(0307.0314)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

Anita Lowary, Finance Officer
City of Groton
P.O. Box 587
Groton, SD 57445-0587

Dear Ms. Lowary:

Enclosed are Water Permit Nos. 5902 and 5905-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

The final inspection has been completed on these Permits, and we are ready to issue the Water Licenses. Statutes require we charge \$50 per license (\$100 total) for the inspection and issuance of the final papers. Upon receipt of this \$100 fee, the Water Licenses will be sent to you.

Very truly yours,

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

enclosures

RECEIPT

415011

Division of Water Rights

South Dakota Department of Environment and Natural Resources

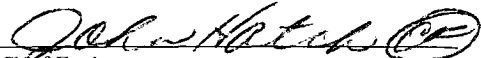
Pierre, _____ July 15, 19 96

RECEIVED OF City of Groton, P.O. Box 587, Groton, SD 57445-0587

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>5902-3</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 
Chief Engineer

Permit No. 5902-3
James 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, **May 10, 1995**, made a thorough examination of the water use system constructed by **the City of Groton** of **209 N Main, Groton SD 57445** holder of Permit No. **5902-3** and Vested Right No. **1649-3**, bearing the priority of **December 14, 1995 and January 1, 1950**, respectively, authorizing the diversion of **0.39 (5902-3) and 0.27 (1649-3)** cu. ft. per second of the waters of **ground water (Dakota Formation)** for **municipal** purposes, in **Brown** County.

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

A. Works used to divert the water:

**Flowing well equipped with 30 hp submersible pump
(300 gpm capacity)**

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

City Distribution System

The system is in the following condition **good (standby for WEB rural water)**. The point of diversion is located **825 feet E and 2,550 feet N from the SW corner of section 19-T123N-R60W (NW1/4 SW1/4)**. The works are capable of diverting and conveying to the place of use **0.66** cu. ft. per second of water which is to be used for **municipal purposes (standby)**. Water has been put to beneficial use to the maximum extent and the license should be issued for **0.39*** cfs.

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

Exceptions to compliance are: **none** Date report completed: **March 27, 1996**



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

*Note: The water license for both No. 5902-3 and Vested Right No. 1649-3 should note that a portion of the diversion rate for well no. 3 is covered by each water license.

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5902-3

DATE OF INVESTIGATION:	May 10, 1995
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Dan Johnson, Water Superintendent
NAME & ADDRESS OF PERMIT HOLDER	City of Groton, 209 N Main
DIVERSION POINT LEGAL LOCATION	825 feet E and 2,550 feet N from the SW corner section 19-T123N-R60W (NW¼ SW¼)

Other permit(s) associated with the project: Vested Right No. 1649-3

WELL INFORMATION:

- 1) Well Drilling Firm: Norbeck
- 2) No. of Wells 1
- 3) Depth(s) 990 feet
- 4) Well log is available N
- 5) Comment: well drilled in 1950

Casing:

- 1) Diameter 10 inches
- 2) Length 960 feet
- 3) Type concrete
- 4) Capacity 300 GPM

Screen:

- 1) Type steel
- 2) Length 30 feet
- 3) Static water level flowing well

Motor & Pump:

- 1) Make unknown
- 2) Model unknown
- 3) Size 30 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type City distribution system

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y

24 19

55 T1395
NH2/100

T1513

1328
Ben Carroll
Natural Resources Engineer
8/14/95

GROTON

7100TH

P-17

T100TH

N

1"=660'

center of
section 19

19

19

825' Well No. 3

1,100' Well No. 2
(capped)

2,550'

2,300'

400' Well No. 1
(capped)

15.5' 850'

1 NH2, 100

T1347

1700' Well No. 4

200'

T1346

123

1200

19

19 20

T100 80

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5902-3

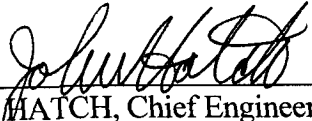
(1) The City of Groton, PO Box 587, Groton SD 57445-0587 made Application No. 5902-3, December 14, 1995 for a water permit to divert an additional 0.39 cubic feet of water per second (cfs) from groundwater (one well), Brown County, South Dakota for municipal purposes. Permit No. 5902-3, with a priority date of December 14, 1995 was approved March 25, 1996 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Permit No. 5902-3 increases the water appropriation from Well #3 authorized by Vested Right No. 1649-3 from 0.27 cfs to 0.66 cfs. The City of Groton is currently supplied water by the WEB Rural Water System. The well authorized by this license is used for standby purposes by the City.

(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 0.39 cubic feet of water per second for beneficial use. The location of the diversion point is: Well #3 - 825 feet west and 2,550 feet north (NW 1/4 SW 1/4) from the southwest corner of Section 19-T123N-R60W.

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

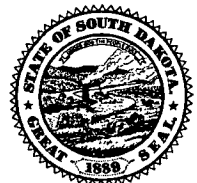
(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Groton, PO Box 587, Groton SD 57445-0587 the holder and/or owner of Water Permit No. 5902-3 is issued a license to appropriate water, the right to use 0.39 cubic feet of water per second from groundwater (one well) with a priority date of December 14, 1995 from the location specified in (2) of this license, for purpose of municipal use. This license is subject to any limitations or qualifications listed in Water Permit No. 5902-3 and subject to South Dakota State Law.



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

JUL 29 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 29 1996

City of Groton
Janice Bren, Finance Officer
Box 587
Groton SD 57445-0587

Dear Ms. Bren:

Enclosed are Water License Nos. 5902-3, 5905-3, Vested Right Water License No. 1649-3 and receipts for the payment assessed for the inspection and issuance of the license. These are the final documents which complete the process of obtaining water rights for the City of Groton.

The applicable portions of Water Permit No. 5249-3 have been incorporated into Water License No. 5905-3.

As long as the City of Groton uses the water beneficially, as stated in the Water Licenses, State Water Law provides the City with a continuing right to use the water.

Very truly yours,

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

enclosures

January 17, 2001

2000 South Dakota Water Use Questionnaire

To:

Address correction requested:

CITY OF GROTON
PO BOX 587
GROTON SD 57445 0587

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 5902-3. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: DAKOTA FORMATION
Management Unit: NOT APPLICABLE

County: BROWN
Pumping Pt. Legal: SEC 19-T123N-R60W
Type of Water Use: MUNICIPAL

- 1) Please estimate your year 2000 water use from the above water source: 0 gallons
2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments: Well is used in standby. If WEB Rural Water
is off, then this well is used

Contact Person: Dan Johnson

Telephone No: 397-2690

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr

