

WATER PERMIT NO. 5941-3

Name of Applicant: City of Volga

Address: 202 Kasan Ave, Volga SD 57071

Phone: 605 627-9113

Amount of Water Claimed: 0.89 cfs Total Acres: NA

Source of Water Supply: groundwater (two wells)

Water to be used for: municipal County: Brookings

Type of Waste Disposal System:

Location: just west of Volga

PRIORITY Date Received: 5-31-96 Fee: \$325.00

Corrected Application Received: Period of Annual Use: January 1 - December 31

Remarks: Withdrawal from future use Permit No. 5875-3

Diversion Point: NW 1/4 SW 1/4 Sec 22-T110N-
R51W

Land to be Irrigated: NA

Depth of Well: 50 feet

Well Driller:

Remarks:

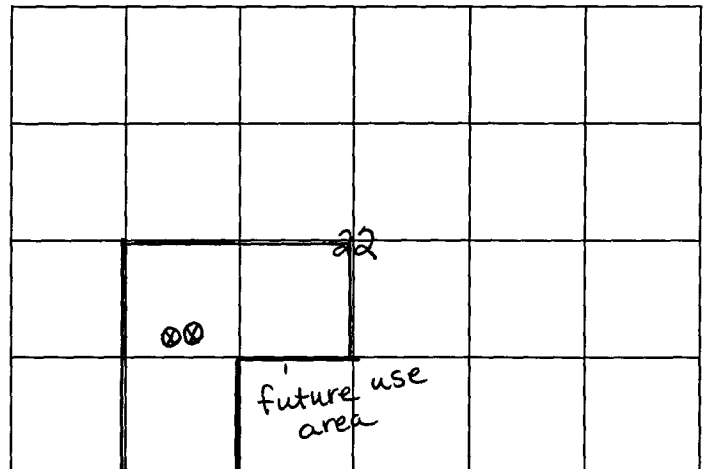
Type of Map: topo

Prepared by: Daryl E England

Reviewed and the Number Assigned on: 5-31-96

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 5941-3**

Date of first receipt of application May 31, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5941-3 to City of Volga, 202 Kasan Ave, Volga SD 57071 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. 5941-3 authorizes construction and placement to beneficial use 0.89 cubic feet of water per second (644 acre-feet annually) from two wells (Big Sioux:Brookings Aquifer) approximately 50 feet deep located in the NW 1/4 SW 1/4 Section 22-T110N-R51 W. The water was appropriated and reserved by future use Permit No. 5875-3.
2. The water appropriated shall be used for the purpose of supplying water to the City of Volga and the soybean processing plant 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. 5941-3 is July 29, 1996.
5. The date from which applicant may claim right is July 26, 1995.
6. One-fifth of the construction is to be completed on or before January 29, 1999.
7. All construction is to be completed on or before January 29, 2001.
8. Water is to be put to beneficial use on or before January 29, 2005.
9. 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 authorized by Permit No. 5941-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
3. Permit No. 5941-3 authorizes a total annual diversion of 644 acre-feet of water annually.

(continued)

Water Permit No. 5941-3

City of Volga

Page 2

4. The City of Volga shall report to the Chief Engineer annually the amount of water withdrawn each year from the Big Sioux:Brookings Aquifer.

WATER MANAGEMENT BOARD

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

OCT 1 1996
date



No. 5941-3 Hydrologic Unit 10170203
 Map No. _____ Basin Sioux River
 Newspaper Volga Tribune, Volga, SD

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

Check use of water: Industrial ☐ Commercial ☐ Municipal ☒ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☒ Construction to use water reserved by Future Use Permit No. 5875-3

1. Name of Applicant CITY OF VOLGA Phone No. 627-9113

Post Office Address 202 KASAN AVE., VOLGA State SOUTH DAKOTA 57071
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 0.89 CFS. NEW. (644 ac-ft annually)

3. Source of water supply TWO WELLS

4. Location of point of diversion NW 1/4 SW 1/4 SEC. 22, T110N, R51W

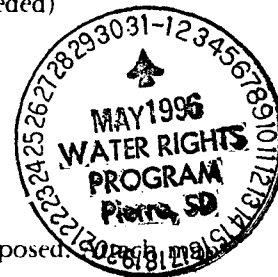
County Brookings

5. Counties where water will be used BROOKINGS

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

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

SUPPLEMENT MUNICIPAL WATER SUPPLY AND PROVIDE WATER TO SOYBEAN PROCESSING PLANT.



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

STATE OF SOUTH DAKOTA)
 County of _____)^{ss}

I, Bill Riechers, Mayor, City of Volga, South Dakota 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

Bill Riechers Mayor

Subscribed and sworn to before me this 27th day of May 1996

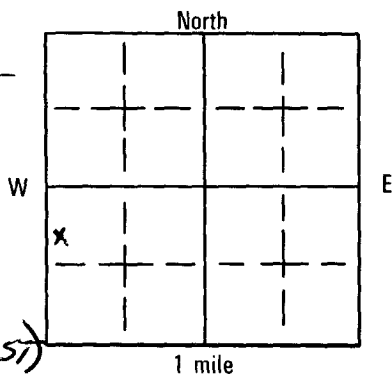
Marcia J. Thompson
 Notary Public

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NW 1/4 SW 1/4 Sec 22 Twp 110N Rg S1WCounty Brookings

Please mark well location with an "X"

Well # 9 (west)

1 mile

Well Completion Date 9-26-96

PROPOSED USE:

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

Method of Drilling: Bucket Rig
Water filled open hole

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>1/2" Wall</u> LB/FT	<u>12</u> IN	<u>0</u> FT	<u>36</u> FT	<u>20</u> IN
<u>1/2" Wall</u> LB/FT	<u>12</u> IN	<u>44</u> FT	<u>47</u> FT	<u>20</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 15 FEETWhat is grouting material? Cement 0'-14'If cement, number of sacks? 26Describe grouting procedure Pressure Grouted
Through Tremie Pipe

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12 IN Length 8 FEETMaterial StainlessSlot Size 100 Set From 36 Feet To 44 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information # 15 Gravel PackWas a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain Chlorine added during gravel packing
Test pumped & rechlorinatedBacteriological analysis ☒ YES ☐ NOLaboratory sent to Samples Taken byEngineer Banner Associates - Brookings

Well Owner:

Name Volga, City of
Address PO Box 217 Volga, S.D. 57071

Well Log:

Depth

Formation	From	To
Top Soil	0	1
Brown Clay	1	4
yellow sand	4	6
yellow coarse sand		
w/ Gravel	6	10
yellow, Red & Gray coarse		
sand w/ Gravel	10	20
coarse Gray sand +		
Gravel	20	35
Very coarse Gray sand		
w/ large Gravel	35	40
Med sand w/ Fines	40	44
yellow clay (firm)	44	48

STATIC WATER LEVEL 12 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

31 ft. After 24 Hrs. pumped 250 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 4

And this report is true and accurate.

Drilling firm Bullis Bros

Signature of License Representative:

Se Roy Bullis

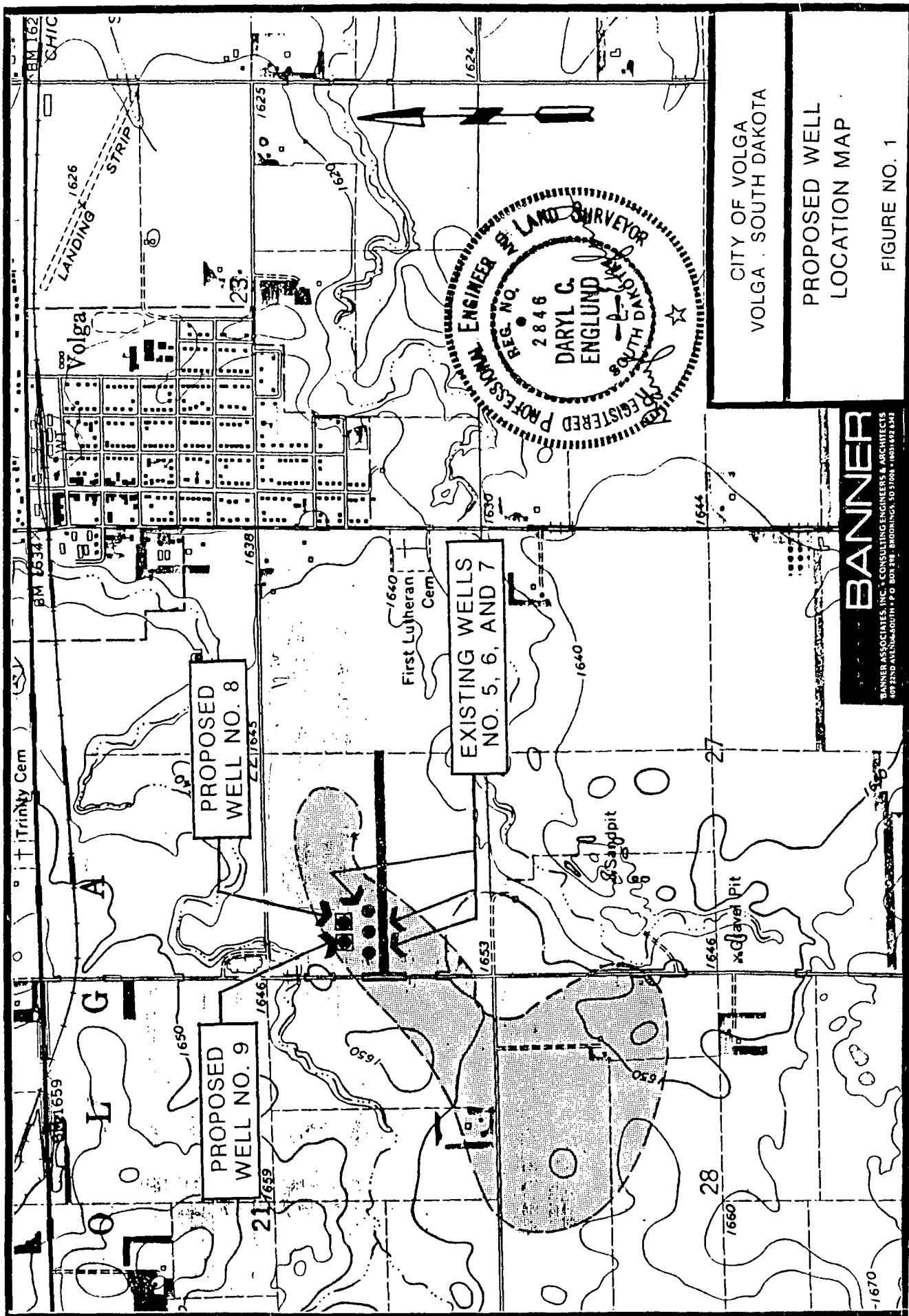
Signature of Well Owner:

Date 9-26-96

10-85

[illegible]

Date 9-26-96



7804-01

I, DARYL ENGLUND, A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA DO HEREBY CERTIFY THAT AT THE REQUEST OF THE CITY OF VOLGA, SOUTH DAKOTA, I DID PREPARE THE ATTACHED MAP FROM EXISTING INFORMATION AND THAT SAID MAP IS A TRUE REPRESENTATION FOR WHICH APPLICATION FOR A NEW WATER RIGHT, TO WITHDRAW UNDERGROUND WATERS FOR MUNICIPAL WATER SUPPLY PURPOSES IS MADE, AND THAT THIS MAP IS A TRUE REPRESENTATION THEREOF.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 23rd DAY OF May
A.D. 19 96.



Daryl C. Englund Reg. No. 2846
REGISTERED LAND SURVEYOR

5941-3

STATE OF SOUTH DAKOTA
COUNTY OF BROOKINGS SS

I, DARYL ENGLUND, A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA
DO HEREBY CERTIFY THAT AT THE REQUEST OF THE CITY OF VOLGA, SOUTH DAKOTA,
I DID PREPARE THE ATTACHED MAP FROM EXISTING INFORMATION AND THAT SAID
MAP IS A TRUE REPRESENTATION FOR WHICH APPLICATION FOR WATER RIGHT TO
WITHDRAW UNDERGROUND WATERS FOR MUNICIPAL WATER SUPPLY PURPOSES IS MADE,
AND THAT THIS MAP IS A TRUE REPRESENTATION THEREOF.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 15th DAY OF
March, A.D. 19 95.

Daryl C. Englund Reg. No. 2846
REGISTERED LAND SURVEYOR



STATE OF SOUTH DAKOTA
COUNTY OF BROOKINGS SS

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC WITHIN AND FOR SAID
STATE AND COUNTY, PERSONALLY APPEARED DARYL ENGLUND, KNOWN TO ME TO BE THE PERSON
WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE
EXECUTED THE SAME.

WITNESS MY HAND AND SEAL THIS 15th DAY OF March, A.D. 19 95.

Jennifer Klinghile
NOTARY PUBLIC

MY COMISSION EXPIRES



CITY OF VOLGA, SOUTH DAKOTA
WATER RIGHTS APPLICATION



SUMMARY:

The City of Volga is undergoing studies to determine its ability to provide for the current, immediate future, and future water needs of its domestic, commercial, and industrial water users. The City of Volga currently has one industry, Land 'o Lakes, that is a large volume water user. A soybean processing cooperative has announced its intentions to locate a new processing facility near the City of Volga. There is also a possibility that a soybean oil refinery may be located near the processing facility. If one or both of these facilities come to fruition, the City of Volga will not be able to provide for the water needs of the industry(ies) without expansion of the existing well fields and distribution systems. The City of Volga's current well field consists of three wells generally located along the 1/16th line of the SW Quarter of Section 22, T110N, R51W all in Brookings County, South Dakota. At this time the City of Volga is requesting the water rights for one well and future water rights for three additional wells. The proposed locations for the new wells are all within the SW 1/4 of Section 22, T110N, R51W, in Brookings County, South Dakota.

During the Summer of 1969, the South Dakota Geological Survey conducted field investigations near the City of Volga for the purpose of assisting the city in locating a future water supply. The results of these investigations were presented in "Special Report 51 - Ground-Water Investigation for the City of Volga", by Assad Barari of the South Dakota Geological Survey. The report was published in January, 1971. The City of Volga has developed its wellfield in the vicinity of the area recommended by this report for development of a water supply. The proposed locations of new wells, for which the City of Volga wishes to secure water rights, are also located within the water supply development area recommended by the above referenced report. A layout map of the existing and proposed well locations is attached to this summary.

The City of Volga is working with the landowners to secure necessary access to the property (temporary or permanent), construction and utility easements, etc. to develop additional wells and support facilities (i.e. piping, etc.) that are considered necessary to provide for the current and future water demands of the Volga Water Treatment Facilities. The City of Volga understands that physical access to the property intended for development of future wells must be established in order to obtain rights to the water.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 17, 1995

Bill Riechers, Mayor
City of Volga
202 Kasan Ave
Volga SD 57071

Dear Mayor Riechers:

We have received the two water permit applications for the City of Volga. In regard to future use permit application, future use permits are quantified on an acre-feet basis to an amount two times the annual amount currently being put to beneficial use. A general rule of 60% of the pumping rate is used when converting a pump rate to acre-feet. The 2.80 cubic feet of water per second which is requested on the application, would convert to 2,027 acre-feet. Sixty percent of 2,027 would be approximately 1,216 acre-feet. Do you concur with this change on the application?

The application filing fee for this application will be based on the amount of water claimed. The filing fee if the City applies to reserve 1,216 acre-feet for future use will be \$45.00.

In regard to the water permit application for 0.56 cubic feet of water per second, the filing fee will be \$275.00. A copy of a well log signed by a licensed well driller will need to be submitted for the proposed well.

Upon clarification of the amount of water claimed on the future use application, the well completion report and the filing fees, further processing of the applications will continue. If you have any questions, please contact Eric Gronlund or myself.

Sincerely,

Karen Schlaak
Environmental Scientist
Water Rights Division
605 773-3352

cy: Daryl C. Englund, Banner Associates, Inc.

City of Volga

mayor

finance officer

utilities department

May 23, 1995



Karen Schlaak
Environmental Scientist
Water Rights Division

Dear Karen:

For our future use water permit application, we agree the change on the application would be 1216 acre-feet. Enclosed please find the filing fee of \$45.00 for the future use permit.

We are waiting to hear from the South Dakota Soybean Processors as to the amount of water they would need and the future date they would need it or if they will need any at all. When their decision is made and the private land where the well would sit is leased or purchased, and bids for well drillers are completed, the filing fee and copy of well log will be forwarded.

Any questions regarding these matters should be directed to Steve Mayer at the Volga City Finance Office, phone 605-627-9113.

Sincerely,

Steven W. Meyer
Utilities Supt.

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: City of Volga water permit application

ADDRESS: COUNTY: Brookings

DATE: 7/26/95 TELEPHONE: 627-9240

RE: Conversation with Mayor Bill Riechers and Steve Meyers, Water Supt.

COMMENTS:

I contacted Mayor Riechers regarding the City of Volga's water permit application and future use application. He got Steve Meyers on the line. I stated that the future use permit was complete but we had been waiting for the water permit application to be completed so that we could process them together. The applications had been in the pending file for the two months with no action being taken, so I was contacting them to find out the status of the applications.

They stated the new water permit application is dependent on the Soybean Processing Plant's needs. Since they are still doing some test drilling, etc., Mayor Riechers and Mr. Meyers stated that this application should remain on hold. They will contact us when they decide to proceed with the application and submit the application filing fee.

They asked that we move forward on processing the future use permit application.

Mayor Riechers, who is also involved in the processing plant, stated the plant would be applying for a water permit for standby purposes.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME:

Eric Hembach

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 5941-3, City of Volgs

ADDRESS: COUNTY: Brookings

DATE: 5/31/96 TELEPHONE:

RE: Call to Bob Brotsky (Banner Associates) at Ph# 692-6342

COMMENTS:

Mr. Brotsky returned my phone call regarding the volume of water requested by Water Permit Application No. 5941-3. I explained that since this application is to construct and place water to beneficial use from FU Permit No. 5875-3 (which is quantified on a volume basis) that this application for 0.89 cfs also needs a volume amount. Mr. Brotsky indicated there are two wells to be used and that the best approach is for 100 percent of the 0.89 cfs (644 acre feet) be used to quantify the volume.

Mr. Brotsky also indicated that this application can be considered a replacement for the city of Volga's application for 0.56 cfs filed May 5, 1995.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Lundberg

Test Hole No. 22

Location: NW¼NW¼NE¼SE¼ sec. 21, T. 110 N., R. 51 W.

Surface Elevation: 1650 feet

Depth to water: 14 feet

0- 2	Topsoil
2- 10	Sand, tan to brown, fine to medium
10- 21	Sand and gravel, brown
21- 39	Clay, gray, pebbly, (till)

* * *

Test Hole No. 23

Location: SW¼SW¼SE¼SE¼ sec. 21, T. 110 N., R. 51 W.

Surface Elevation: 1655 feet

Depth to water: 20 feet

0- 2	Topsoil
2- 20	Sand and gravel, brown, some clay
20- 34	Sand and gravel, brown, grading to grayish-brown
34- 52	Sand and gravel
52- 59	Clay, grayish-brown, compact, (till)

* * *

Test Hole No. 24

Location: NW¼NW¼SW¼SW¼ sec. 22, T. 110 N., R. 51 W.

Surface Elevation: 1648 feet

Depth to water: 15 feet

0- 2	Topsoil
2- 25	Gravel and very coarse sand
25- 28	Sand, coarse to very coarse
28- 47	Gravel
47- 49	Clay, some sand, (till)

* * *

Test Hole No. 25 (Pump test well drilled by Thorpe Drilling Co.)

Location: SW¼SW¼NW¼SW¼ sec. 22, T. 110 N., R. 51 W.

Surface Elevation: 1645 feet

Depth to water: 15 feet

0- 2	Topsoil
2- 5	Clay, brown
5- 14	Gravel, medium
14- 23	Gravel, fine
23- 45	Gravel, fine to medium
45- 47	Clay

* * *

Test Hole No. 26

Location: SE¼SW¼NW¼SW¼ sec. 22, T. 110 N., R. 51 W.

Surface Elevation: 1645 feet

Depth to water: 15 feet

Test Hole No. 26 (continued)

0- 3	Topsoil
3- 31	Sand and gravel
31- 45	Sand, gray, medium-coarse
45- 54	Clay, yellowish-brown, fairly compact, pebbly, (till)

* * *

Test Hole No. 27

Location: NW¼NW¼NW¼SW¼ sec. 22, T. 110 N., R. 51 W.

Surface Elevation: 1646 feet

Depth to water: 6 feet

0- 2	Topsoil
2- 6	Sand and gravel, high percent of clay
6- 32	Sand, brown, grading to grayish-brown
32- 44	Clay, grayish-yellow, pebbly, fairly compact, (till)

* * *

Test Hole No. 28

Location: SW¼SW¼NE¼SW¼ sec. 22, T. 110 N., R. 51 W.

Surface Elevation: 1645 feet

Depth to water: 16 feet

0- 3	Topsoil
3- 16	Sand and gravel, much clay
16- 44	Sand and gravel, brown, grading to light-gray
44- 59	Clay, dark-brown, very pebbly, compact, (till)

* * *

Test Hole No. 29

Location: NE¼NW¼NW¼SW¼ sec. 22, T. 110 N., R. 51 W.

Surface Elevation: 1643 feet

Depth to water: 11 feet

0- 4	Topsoil, sandy
4- 24	Sand and gravel
24- 29?	Sand, grayish-brown
29?- 94	Clay, light-gray, very pebbly, (till)

* * *

Test Hole No. 30

Location: NW¼NW¼NW¼NW¼ sec. 22, T. 110 N., R. 51 W.

Surface Elevation: 1670 feet

Depth to water: not measured

0- 3	Topsoil
3- 47	Clay, grayish-brown, pebbly
47- 74	Clay, brownish-gray, pebbly, (till)

* * *

RECEIPT

414978

Division of Water Rights

South Dakota Department of Environment and Natural Resources

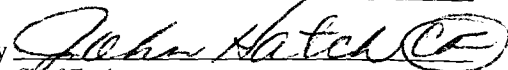
Pierre, _____ May 31, 19 96

RECEIVED OF _____ City of Volga, Volga, SD 57071

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

Fee for Application for Permit No. <u>5941-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	325	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	325 00

By John Hatch 
Chief Engineer

REPORT ON WATER PERMIT APPLICATION NO. 5941-3
for the City of Volga
June 14, 1996

Application No. 5941-3 proposes to construct and place to beneficial use 0.89 cfs (400 gpm) with an annual use of 644 acre feet from two wells approximately 50 feet deep located in the NW 1/4 SW 1/4 of section 22, T110N R51W in Brookings County. This water was appropriated and reserved by future use Permit No. 5875-3. The water will be used to supply the City of Volga and the soybean processing plant.

AQUIFER - BIG SIOUX BROOKINGS (BS-B)

The Big Sioux Brookings aquifer is a predominantly surficial outwash (sand and gravel) which is under water table conditions in the area of this application. The aquifer underlies 540 square miles and contains an estimated 2.0 million acre feet of water in storage in Brookings and Kingsbury Counties (Hamilton, 1989). A study conducted by the SDGS for the City of Volga in 1970 identified the SW 1/4 of section 22, the SE 1/4 of section 21 and the NW 1/4 of section 28 as potentially the best area for water development (Barari, 1971). This area contained the portion of the aquifer with the greatest saturated thickness. Groundwater movement is from west to east toward the Big Sioux River in this area.

The Water Rights Program monitors seven observation wells completed into the Big Sioux Brookings aquifer and located within a three mile radius of Volga. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1996).

REVIEW OF EXISTING WATER/RIGHTS

The City of Volga currently has three city wells (#5, #6, #7) in this immediate area. The distance between these existing wells is about 400 feet. This application would authorize the City to construct two more wells approximately 500 feet north of the present well field. The original study by the SDGS recommended a minimum well spacing of 400 feet at a pumping rate of 170 gpm. Interference may occur but should not be a major concern. The City should conduct an aquifer test on any new production well for the purpose of evaluating well spacing.

CONCLUSIONS

1. Water is available from the Big Sioux Brookings aquifer.
2. The water for this application has been appropriated by Future Use Permit No. 5875-3 and any water not put to beneficial use will revert to that future use. The amount of water remaining in future use after deleting this application is 572 acre feet annually.

3. The aquifer is unconfined and under water table conditions. Drawdown is not expected to be significant. Interference is not a concern. The City should evaluate the new well sites by conducting at least limited aquifer testing to determine the spacing between production wells. The well spacing could become critical during periods of extended drought conditions.
4. Any well authorized by this application must be constructed in accordance with SD Well Construction Standards.

for 
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Barari, A., 1971, Ground-Water Investigation for the City of Volga, South Dakota, Special Report 51, SD DENR, SDGS, Vermillion, SD, 57069.

Hamilton, L.J., 1989, Water Resources of Brookings and Kingsbury Counties, South Dakota, WRI 88-4185, USGS, Huron, SD, 57350.

Water Rights, 1996, Unpublished Observation Well Records for Brookings County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5941-3, City of Volga**

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. 5941-3, City of Volga, %Mayor Bill Riechers, 202 Kasan Avenue, Volga, SD 57071.

The Chief Engineer is recommending APPROVAL of Application No. 5941-3 because 1) the proposed diversion has been developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) 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 authorized by Permit No. 5941-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
3. Permit No. 5941-3 authorizes a total annual diversion of 644 acre-feet of water annually.
4. The City of Volga shall report to the Chief Engineer annually the amount of water withdrawn each year from the Big Sioux:Brookings Aquifer.

See report on application for additional information.



JOHN HATCH, Chief Engineer
June 27, 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.

July 2, 1996

Bill Riechers, Mayor
City of Volga
202 Kasan Ave.
Volga, SD 57071

Dear Mayor Riechers:

Water Permit Application No. 5941-3 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 Volga Tribune printed at Volga, SD (Ph # (605) 627-9471). 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.

c: Bob Brotsky, Banner Associates, Inc., P.O. Box 298, Brookings, SD 57006



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 2, 1996

Volga Tribune
Box 18
Volga, SD 57071-0018

ATTENTION: Legal Department

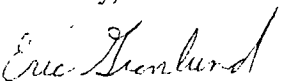
Enclosed is a Notice of Hearing on Application No. 5941-3 to be published twice. Please publish the first notice on July 11, 1996, with the second publication 7 days later.

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 Volga, %Bill Riechers, Mayor, 202 Kasan Ave., Volga, SD 57071 (Ph # (605) 627-9113).

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 July 11, 1996, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5941-3 to Develop Reserved Water

Notice is given that the City of Volga, 202 Kasan Ave., Volga, SD 57071 has filed an application for a water permit to construct and place to beneficial use 0.89 cubic feet of water per second (644 acre-feet annually) from two wells (Big Sioux Aquifer) approximately 50 feet deep located in the NW 1/4 SW 1/4 Section 22-T110N-R51W. This water was appropriated and reserved by Future Use Permit No. 5875-3. The water will be used to supply the City of Volga and the soybean processing plant.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5941-3 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 July 29, 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 Brookings) SS

I, Lori Jacobsen

certify that the attached printed Notice was

taken from the Volga Tribune
Public Notice - July 11 & 18

printed and published in Volga Tribune

County of Brookings and State of

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

July 11, 1996

July 18, 1996

Cost of Printing: \$43.59

Lori Jacobsen
(Signature)

Advertising/Billing
(Title)

July 18, 1996
(Date Signed)

Legal 0525 2xV, 7-11,7-18
NOTICE OF APPLICATION NO.
5941-3 to Develop Reserved Water

Notice is given that the City of Volga, 202 Kasan Ave., Volga, SD 57071 has filed an application for a water permit to construct and place to beneficial use 0.89 cubic feet of water per second (644 acre-feet annually) from two wells (Big Sioux Aquifer) approximately 50 feet deep located in the NW 1/4 SW 1/4 Section 22-T110N-R51W. This water was appropriated and reserved by Future Use Permit No. 5875-3. The water will be used to supply the City of Volga and the soybean processing plant.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5941-3 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.

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Nettie H. Myers, Secretary
Department of Environment and
Natural Resources.





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 1 1996

Bill Riechers, Mayor
City of Volga
202 Kasan Ave.
Volga, SD 57071

Dear Mayor Riechers:

Enclosed is Water Permit No. 5941-3 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 57501-3182
www.state.sd.us/denr

August 30, 2001

5941-3

City of Volga
Marcia L. Thompson
PO Box 217
Volga SD 57071-0217

Dear Ms. Thompson:

On June 28, 2001 the investigation of the city's water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5941-3, was completed by Ron Duvall, a staff engineer with our program. The final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

The licensed water right will be similar to a property right that can not be lost as long as the water use continues and the city abides by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Environmental Scientist
Water Rights Program
(605) 773-3352

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

416913

Pierre, August 7, 20 01

RECEIVED OF City of Volge, Marcia L. Thompson, PO Box 217, Volge, SD 57011-0217
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. 5941-3

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By Darland Erbe
Chief Engineer

gm

Permit No. 5941-3
Big Sioux 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, **June 28, 2001**, made a thorough examination of the water use system constructed by City of Volga of **202 Kasan Avenue, Volga SD 57071** holder of Permit No. **5941-3**, bearing the priority of **July 26, 1995** authorizing the diversion of **0.89** cu. ft. per second (**644** acre-feet annually) of the waters of ground water (Big Sioux - Brookings Aquifer) for municipal purposes, in Brookings County.

Inspection contact & relationship to permit holder, if applicable: **Steve Meyer, w/public works**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Bullis
- 2) No. of Wells 2
- 3) Depth(s) 44 feet (**both wells**)
- 4) Well log is available Y

Casing: (both wells)

- 1) Diameter 12 inches
- 2) Length 36 feet
- 3) Type Steel

Screen: (both wells)

- 1) Type Stainless steel
- 2) Length 8 feet
- 3) Static water level 12 feet

Pump\Motor:

- 1) Make both submersible
- 2) Size well No. 8 - 10 hp
- 3) Size well No. 9 - 15 hp
- 4) Capacity both 200 GPM

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

Water is treated and then delivered via $\approx$ 5,900 feet of 12 inch PVC to a 250,000 gallon storage facility for distribution to the city.

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Exceptions to compliance are: none

The system is in good condition with the points of diversion located as follows: Well No. 8: 650 feet E and 1,700 feet N (lat 44.31612, long -96.94596); Well No. 9: 430 feet E and 1,700 feet N (lat 44.31611, long -96.94683); both from the SW corner section 22-T110N-R51W (NW¼SW¼). The works are capable of diverting and conveying to the place of use **0.89** cu. ft. per second of water (**644** acre-feet of water) which is to be used for municipal purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for **0.89** cfs (**644** acre-feet annually).

Comments or other permit(s) associated with the project: **5875-3** | All structures, wells and lands on map Y



Ron Duvall
 Natural Resources Engineer
 DENR, Water Rights Program

Date report completed: August 30, 2001

600 0 600 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat. Res. Engineer
August 30, 2001

No. 5941-3

STATE OF SOUTH DAKOTA

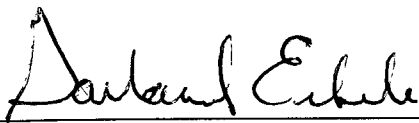
WATER LICENSE NO. 5941-3

(1) The City of Volga, 202 Kasan Ave, PO Box 217, Volga SD 57071 made Application No. 5941-3, May 31, 1996 for a water permit to divert 0.89 cubic feet of water per second (644 acre-feet annually) from groundwater (two wells), Brookings County, South Dakota for municipal purposes. Permit No. 5941-3, with a priority date of July 26, 1995 (established by Future Use Permit No. 5875-3) was approved July 29, 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 29, 2001 and for the application to beneficial use of said water on or before January 29, 2005.

(2) It is certified that the permit holder 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 0.89 cubic feet of water per second (644 acre-feet annually) for beneficial use. The location of the diversion points are: Well # 8 – 650 feet east and 1,700 feet north and Well # 9 – 430 feet east and 1,700 feet north; both from the southwest corner of Section 22-T110N-R51W (NW ¼ SW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to supply the City of Volga and the soybean processing plant.

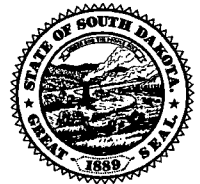
(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Volga, 202 Kasan Ave, PO Box 217, Volga SD 57071 the holder and/or owner of Water Right No. 5941-3 is issued a license to appropriate water, the right to use 0.89 cubic feet of water per second (644 acre-feet annually) from groundwater (two wells) with a priority date of July 26, 1995 (established by Future Use Permit No. 5875-3) from the locations specified in (2) of this license for municipal purposes. This license is subject to any limitations or qualifications listed in Water Right No. 5941-3 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 24 2001

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 24 2001

5941-3

The City of Volga
Marcia L. Thompson
202 Kasan Ave
PO Box 217
Volga, SD 57071

Dear Ms. Thompson:

Enclosed is Water License No. 5941-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416913 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. 5941-3, 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.

Sincerely,

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

enclosures