

WATER PERMIT NO. 5974-3

Name of Applicant: Clark Rural Water System, Inc.

Address: PO Box 162, Clark SD 57225

Phone: 605 532-5201

Amount of Water Claimed: 1.78 cfs

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: rural water system use

County: Clark

Type of Waste Disposal System: NA

Location: 3 miles south of Clark

PRIORITY

Date Received: 12-23-96

Fee: \$450.00

Corrected Application Received:

Period of Annual Use: January 1 - December 31

Remarks: Request add'l well, hookup of Clark and Wallace and a maximum diversion rate of 1,200 gpm (treatment plant capacity) under Nos. 4384-3, 4384-3A, 5600-3 and this application.

Diversion Point: SW 1/4 SE 1/4

Section 25-T116N-R58W

Land to be Irrigated: NA

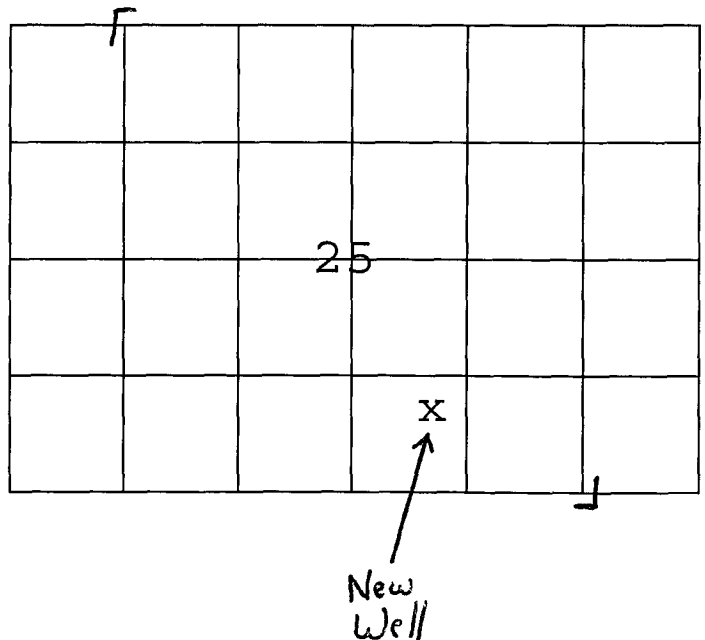
Depth of Well: 77 feet deep

Well Driller: LTP Enterprises, Inc.

Remarks:

Type of Map: aerial

Prepared by: Ron Duvall



Reviewed and the Number Assigned on: 1-2-97

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 5974-3

Date of first receipt of application December 23, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5974-3 to Clark Rural Water System, Inc., PO Box 162, Clark SD 57225 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. 5974-3 appropriates 1.56 cfs (675 acre-feet annually) from one new well (Vermillion East Fork Aquifer-Antelope Lake) 77 feet deep located in the SW 1/4 SE 1/4 Section 25-T116N-R58W.

Water Permit No. 5974A-3 authorizes an additional appropriation of 0.22 cfs from the wells authorized by Water Permit Nos. 4384-3 and 4384-3A. Permit Nos. 4384-3 and 4384-3A authorized a diversion of 2.4 cfs from three wells (Vermillion East Fork Aquifer- Antelope Lake) located in the SW 1/4 SW 1/4 Section 7-T115N-R57W, NE 1/4 NE 1/4 Section 12-T115N-R58W and the SE 1/4 SE 1/4 Section 25-T116N-R58W. These three wells are capable of producing 2.62 cfs.

The water will be used to supply the Clark Rural Water System, Inc. and to serve the cities of Clark and Wallace.

2. The water appropriated shall be used for the purpose of supplying water to the rural water system and may not exceed the amount of water needed for beneficial use for rural water system 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. 5974-3 is April 7, 1997.
5. The date from which applicant may claim right is December 23, 1996.
6. One-fifth of the construction is to be completed on or before October 7, 1999.
7. All construction is to be completed on or before April 7, 2002.
8. Water is to be put to beneficial use on or before April 7, 2006.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

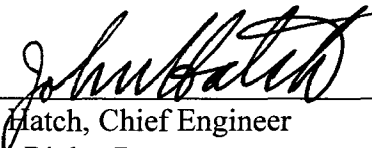
QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Water Permit No. 5974-3 authorizes a total annual diversion of 675 acre-feet of water annually from the well located in the SW 1/4 SE 1/4 Section 25-T116N-R58W.

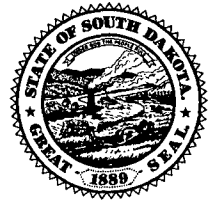
(continued)

3. The Clark Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn each year from the Vermillion East Fork Antelope Lake Aquifer.

WATER MANAGEMENT BOARD

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

JUN 23 1997
date



FORM 2: Application for uses other than irrigation
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>5974-3</u>	Hydrologic Unit <u>10160006</u>
	Basin <u>Danvers River</u>	
	Newspaper _____	



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

Check use(s) of water:

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

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.) _____

- Name of Applicant Clark Rural Water System, Inc. Phone (605) 532-5201
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address PO Box 162, Clark State SD 57225
(Street, RR. or Box) (Zip Code)
- Amount of water claimed 1.78 *CFS or 700 gpm new well ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
100 gpm - existing wells
authorized by permit No. 4384-3
- Source of water supply 1 well -- ground water (Vermillion East Fork Aquifer - Antelope Lake)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
well: SW1/4SE1/4 section 25-T116N-R58W
County Clark
- County or counties where water will be used Clark, Codington, Day, Hamlin
- Annual period during which water is to be used January 1 to December 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)

This application authorizes construction of an additional well, hookup of Clark and Wallace to the RWS, and a maximum combined diversion rate of 1,200 gpm (treatment plant capacity) under Water Permit Nos. 4384-3, 4384-3A, 5606-3, and this application.

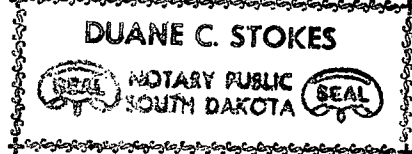
STATE OF SOUTH DAKOTA)
County of CLARK SS

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)

I, CLARK RWS, 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 Ronald R Hinman

Subscribed and sworn to before me this 29TH day of OCTOBER 19 96



Duane C Stokes
Notary Public

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 17 1/2" Depth 77'
- b) Casing Type STEEL Diameter 12" Thickness 49.56 16/FT
- c) Screen Type STAINLESS Diameter 12" Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 38'
- f) Depth to Water (ground surface to water level) 38'
- g) Distance to nearest existing domestic well: 1 1/2 MILES

On applicants property 1800 FEET

On property owned by others 1 1/2 MILES

2. Wastewater Disposal System Information

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

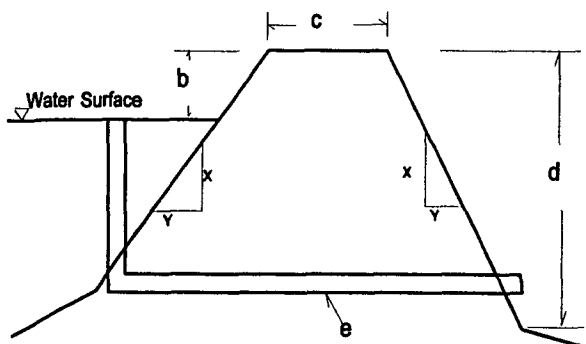
3. Dugout Information

- 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

Supplemental Information

(type or print in ink)



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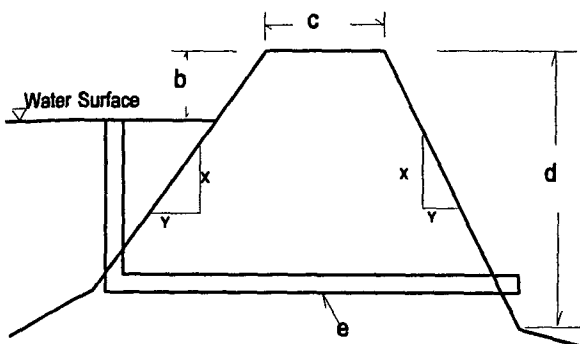
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Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



07-92

Date: 10/29/96

NOT TO SCALE

8.1 ①

T-1607

T-3155
Whiskey River
bottle company

T-2290

T-3156

24

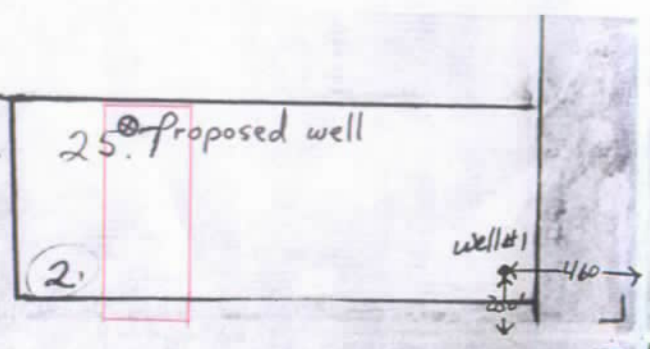
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Ron Darall
Natural Resources Engineer
8/15/96

379-153R
J-7 24

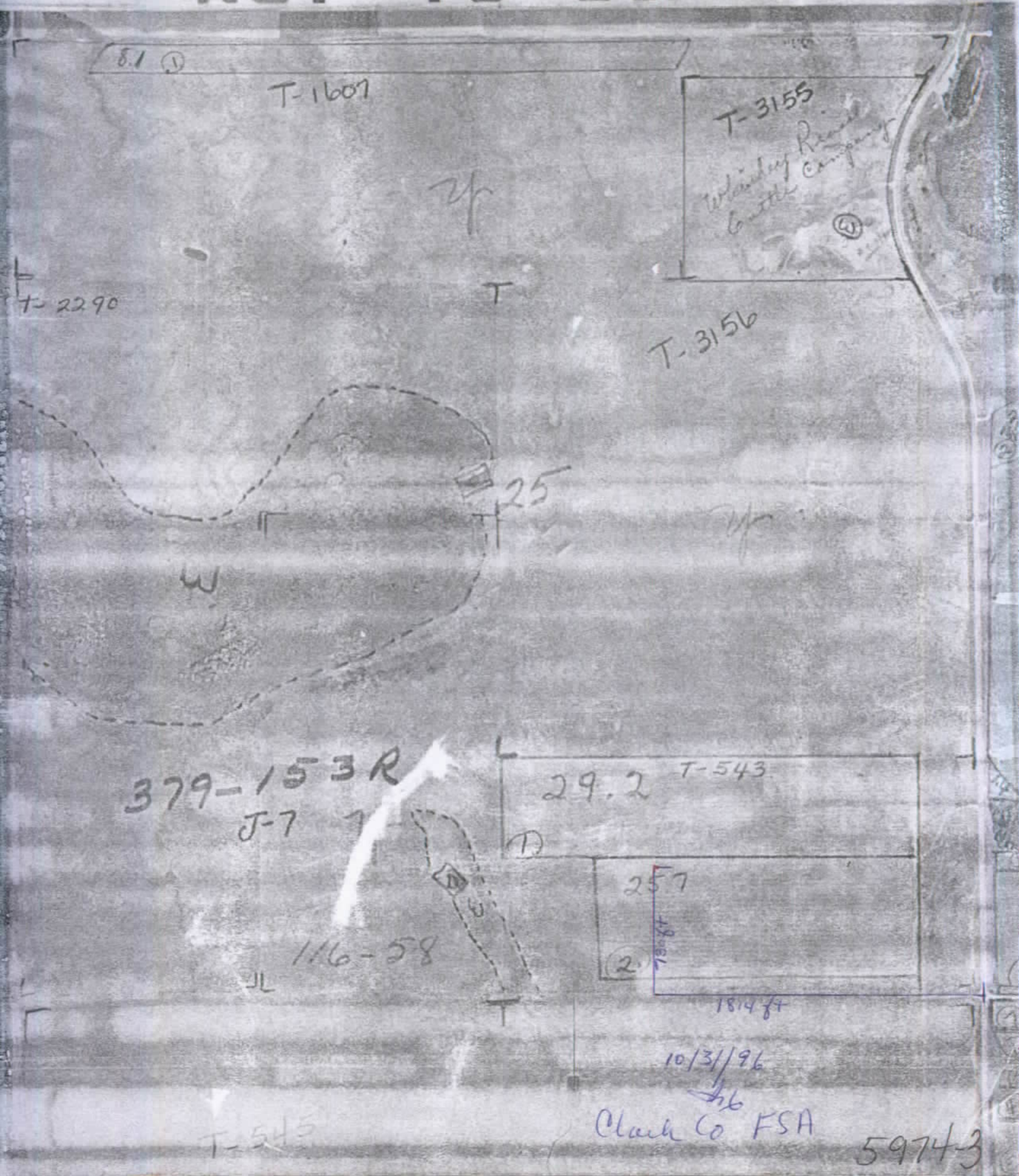
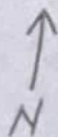
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1996

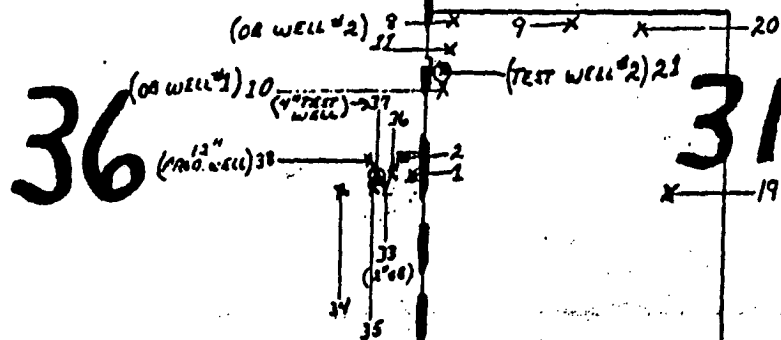
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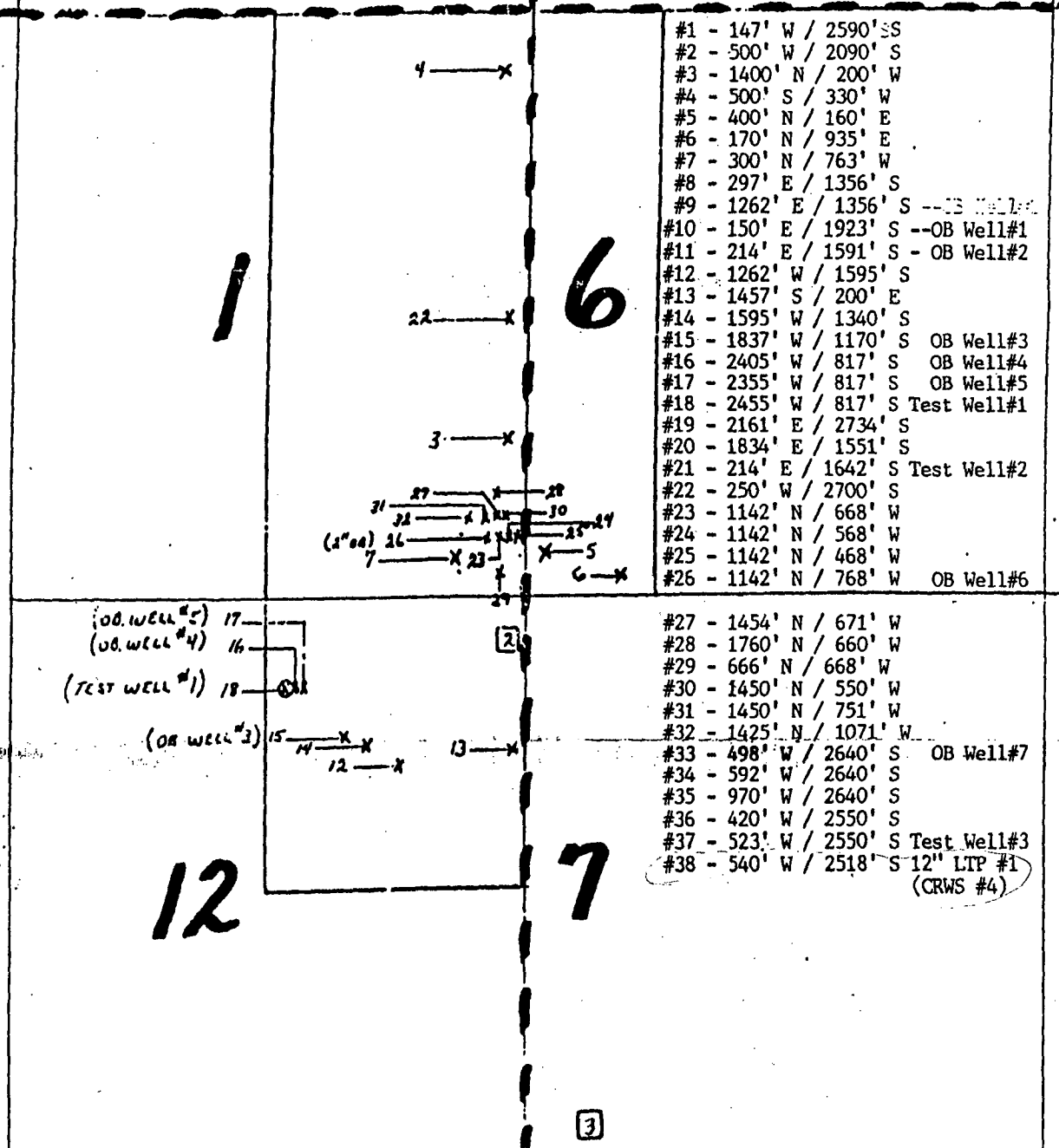


116N 58W

116N 57W

Clark Rural Water System 1991 Exploratory
Well Drilling Map - LTP Enterprises

Measurements are from respective section lines



December 19, 1996

Ron Duvall
Natural Resources Engineer
Water Rights Program



Dear Mr. Duvall,

First off, I want to thank you for all the assistance you have offered me regarding the permitting process.

Enclosed are the necessary forms for the formal application process, completed to my understanding.

Could you review the documents and contact me if there are any questions or incomplete information please.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Duane C. Stokes".

Duane C. Stokes, Mgr.
Clark Rural Water System, Inc.

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Clark RWS -- Duane Stokes

ADDRESS: COUNTY:

DATE: 1/23/97 TELEPHONE:

RE: Discussion about Clark RWS water permit application

COMMENTS:

Duane Stokes and I discussed Clark RWS's current water right permit application. We had previously discussed their permitting and I had faxed him a breakdown of the system's existing permit and described how I felt they should proceed. Mr. Stokes asked me to amend Application No. 5974-3 as follows:

1. The amount of water claimed is to be 800 gpm.
 - 700 gpm will be the maximum capacity of the new well
 - 100 gpm needs to be permitted to account for production from the three wells above water is authorized by Water Permit No. 4384-3.
2. The maximum annual volume of water anticipated to be used from the new well is 675 acre-feet annually.

Mr. Stokes indicated that he will be submitting a letter to retain Future Use Permit No. 4927-3 which is scheduled for a seven year review.

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:



CLARK RURAL WATER SYSTEM
WATER PERMIT/RIGHTS

Table of Clark RWS existing permits and the most current application

Permit No.	Diversion Rate	Volume	Discussion
4384-3	1077 gpm	never quantified in acre-feet	The 3 wells capacity is 1175 gpm (97 gpm more than authorized)
4384-3A	-	-	only authorized change in location of Well No. 3
4927-3 Future Use	294 ac-ft	This is the system's future use permit. Currently there is 174 ac-ft remaining in reserve; however 120 ac-ft of the unused portion of Permit No. 5606-3 reverts back to the future use permit totalling 294 ac-ft.	
5606-3	220 gpm	140 ac-ft	Originally for 260 acre feet of water at a rate of 270 gpm; however, well capacity is 220 gpm & calculating 19 hours per day for on half year = 140 ac-ft
Appl. No. 5974-3 (as filed)	800 gpm	new well	

CURRENTLY UNPERMITTED OR PENDING ACTION

1. **100 gpm additional for three wells authorized by Permit No. 4384-3.**

Explanation - No. 4384-3 was originally for 4 wells totalling 2.4 cfs = 1,077 gpm. Licensing investigation found 3 wells developed and capable of producing 1,175 gpm (Well No. 1 = 350 gpm; Well No. 2 = 675 gpm; and Well No. 3 = 150 gpm)

Permitted (1,077 gpm) minus capability (1,175 gpm) leaves a deficit of unpermitted water of 97 gpm (essentially 100 gpm)

2. **800 gpm for new well and projected annual volume of water used in acre feet (or gallons) from new well**

Explanation - This is the application that Clark RWS recently filed. Currently new well site under this application is not within the future use area (No. 4927-3). Application needs to quantify volume (gallons) anticipated to be used for this new well per year.

3. **7-year review of Future Use Permit No. 4927-3**

Explanation - Currently has 294 acre feet of water remaining in reserve. All future use permits are subject to review ever 7 years

PERMIT APPLICATION OPTIONS

- a.
- Proceed as a new application for 900 gpm [800 gpm from new well (including quantifying anticipated gallons per year) & 100 gpm additional to well authorized by Permit No. 4384-3]. Permit will receive a new priority date
 - Submit a letter requesting to retain FU Permit (could be used in future if capacity of existing wells increase)
- b.
- Apply to amend FU area to include the SE1/4 Section 25, T116N, R58W
 - Quantify volume (gallons per year) anticipated to be used from new well. The first 294 acre feet of water will come from the FU Permit No. 4927-3 and the remaining water will take a new priority date. This will in essence zero out the FU permit so there would be no reason to conduct the 7 year review.

RECEIPT

415213

Division of Water Rights

South Dakota Department of Environment and Natural Resources

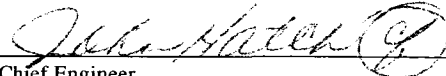
Pierre, _____ December 23, 19 96

RECEIVED OF Clark Rural Water Systems, Inc., Box 162, Clark, SD 57225

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

Fee for Application for Permit No. <u>57793</u> to Appropriate Water, to construct and to put water to beneficial use _____	450	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	450 00

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 1996

Nos. 4384-3, 4384-3A, 4927-3 & 5606-3

Duane Stokes, Manager
Clark Rural Water System
PO Box 162
Clark SD 57225

Dear Mr. Stokes:

I am writing in response to our January 31, 1996, office visit concerning water permits held by the rural water system. This letter summarizes what the rural water system needs to do to address the permitting issues we discussed.

1. Based on an inspection of Permit Nos. 4384-3 and 4384-3A in 1991, the maximum diversion rate at which water could be treated was 800 gpm. The amount of water appropriated by Nos. 4384-3 and 4384-3A became limited to 800 gpm since that was the maximum diversion rate. Later, in 1993, the rate of treatment was increased to 1,200 gpm by adding another filter. This increase in diversion rate is, in part, covered by Water Permit No. 5606-3 which diverts 220 gpm based on information you supplied to me. Therefore, the remainder of the 400 gpm increase ($400 - 220 = 180$ gpm) needs to be covered by a new water permit application. I believe this extra 180 gpm can easily be accounted for by the new well you are planning on drilling in section 25 provided your test drilling locates a suitable site. We can work on a permit application once you have selected a well site. The new application will specify a pump rate for the new well and a total combined diversion rate of 1,200 gpm from all of the wells.
2. The area of your proposed test drilling in section 25-T116N-R58W is outside of the current future use area. If you plan to locate a well in section 25 and use the remainder of your future use reserve, then a permit application will be needed to expand the area reserved for future use. Currently, future use permit No. 4927-3 is limited to portions of section 36-T116N-R58W and section 31-T116N-R57W.

As a side note concerning your future use reserves, it is possible that a portion of the future use water appropriated under Permit No. 5606-3 may be available for use from the proposed well in section 25 (assuming expansion of the future use area is approved.) According to General Rule 74:02:01:26.01, any amount of water not developed under a permit (5606-3) is reinstated to the future use permit (4927-3.). Diverting 220 gpm at 19 hours per day for one half year yields approximately 140 acre-feet of water per year. Currently, No. 5606-3

February 6, 1996
Duane Stokes, Manager
Page 2 of 2

Nos. 4384-3, 4384-3A, 4927-3 & 5606-3

authorizes use of 260 acre-feet per year; therefore, approximately 120 acre-feet ($260 - 140 = 120$) can be reinstated to the future use permit (please take into consideration whether use of the well will ever increase resulting in more than 140 acre-feet being pumped each year.) Future use permit No. 4927-3 currently has 174 acre-feet in reserve so the total amount in reserve would be 294 acre-feet ($120 + 174 = 294$.)

3. A permit will be needed for construction of any well or wells in the area north of Watertown.
4. The rural water system may want to consider applying for another future use permit especially if the remaining water under future use permit No. 4927-3 will be put to use in the near future.
5. Connecting the city of Clark and town of Wallace to the rural water system also needs to be included in one of your permit applications. The application for the additional well in section 25 would be suitable for this purpose.

Please don't hesitate to contact me at (605) 773-3352 if you have any questions. I probably put more in this letter than is necessary for the moment, but it will provide a good reference for all of us in the future. I will also assist you with applications (blank forms enclosed) when you are ready to proceed.

Sincerely,



Ron Duvall
Natural Resources Engineer
Water Rights Program

enc.

REPORT ON WATER PERMIT APPLICATION NO. 5974-3
for Clark Rural Water System
February 11, 1997

Application No. 5974-3 proposes to appropriate a total of 1.78 cfs. The rural water system plans to appropriate 1.56 cfs (675 acre feet annually) from one new well approximately 77 feet deep located in the SW 1/4 SE 1/4 of Section 25, T116N R58W. This application also requests an additional appropriation of 0.22 cfs from the wells authorized by Water Permit Nos. 4384-3 and 4384A-3. Water Permit Nos. 4384-3 and 4384A-3 authorize a diversion of 2.4 cfs from three wells located in the SW 1/4 SW 1/4 of Section 7, T115N R57W, NE 1/4 NE 1/4 of Section 12, T115N R58W and the SE 1/4 SE 1/4 of Section 25, T116N R58W all in Clark County. These three wells are capable of producing 2.62 cfs. The water will be used to supply the Clark Rural Water System, Inc. and to serve the cities of Clark and Wallace.

AQUIFER - VERMILLION EAST FORK - ANTELOPE LAKE (VEF-AL)

The Vermillion East Fork - Antelope Lake aquifer is a surficial outwash (sand and gravel) which is under predominantly unconfined or water table conditions in this area. The aquifer consists of collapsed outwash of glaciofluvial origin (Christensen, 1987). The aquifer underlies 34,400 acres and contains an estimated 77,400 acre feet of recoverable water in storage in Clark County (Hedges, 1982). The aquifer is hydraulically connected to some area lakes and wetlands which probably are discharge zones for groundwater. Recharge is accomplished through rainfall and snowmelt directly infiltrating into the aquifer. Estimates of recharge rates range from 3.0 inches per year (Hedges, 1984) to 3.8 inches per year (Hamilton, 1986). Also, a good aquifer area and saturated thickness map is included in the Hamilton report.

The driller's log submitted with the application indicates sandy clay or clayey sand from 20 to 43 feet, sand and gravel from 43 to 77 feet with sand from 77 to 81 feet all below land surface. The well had a static water level of 38 feet below land surface and was capable of producing 500 gpm with a total drawdown of about 20 feet. This results in a specific capacity of about 25 gpm/ft of drawdown. The well is built in accordance with SD Well Construction Standards. The aquifer at this site would be buried but under water table conditions.

The Water Rights Program monitors five observation wells completed into the Vermillion East Fork Antelope Lake aquifer and located within three miles of this application. Water levels for these wells show good correlation with climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1997). Hydrographs for these wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The closest existing permitted well is Clark Rural Water System Well #1 (Water Permit No. 4384-3) which is located about 1450 feet south and east of this application. Interference is not a concern. Drawdown created by pumping will overlap and there would be potential interference but this is not expected to be adverse. In any event, the rural water system can manage withdrawals to minimize this potential effect.

CONCLUSIONS

1. Water is available from the Vermillion East Fork Antelope Lake aquifer.
2. The aquifer is predominantly under water table conditions. At this site the aquifer is buried and under water table conditions. Over most of the area the aquifer is also surficial.
3. Interference is not expected to be a concern. Drawdown will occur as a result of pumping and there is the potential for overlapping drawdown from Well #1 and this diversion. This is not expected to be adverse and the rural water system can control diversions to minimize this potential.
4. This well is constructed in accordance with SD Well Construction Standards.
5. The well completion report filed with the application indicates this well was capable of producing 500 gpm with about 20 feet of drawdown. It would be possible based on this information to produce 700 gpm from this well. However, pumping at 700 gpm would leave approximately one foot of water above the screen in the production well. Pumping this well at 700 gpm would be pushing the capacity of this well. Also the total annual yield of 675 acre feet is reasonable for a rate of 700 gpm.
6. This application also requests an additional diversion rate of 100 gpm from existing Rural Water System Wells #1, #2 and #3. These three wells are capable of diverting the amount of additional water requested.

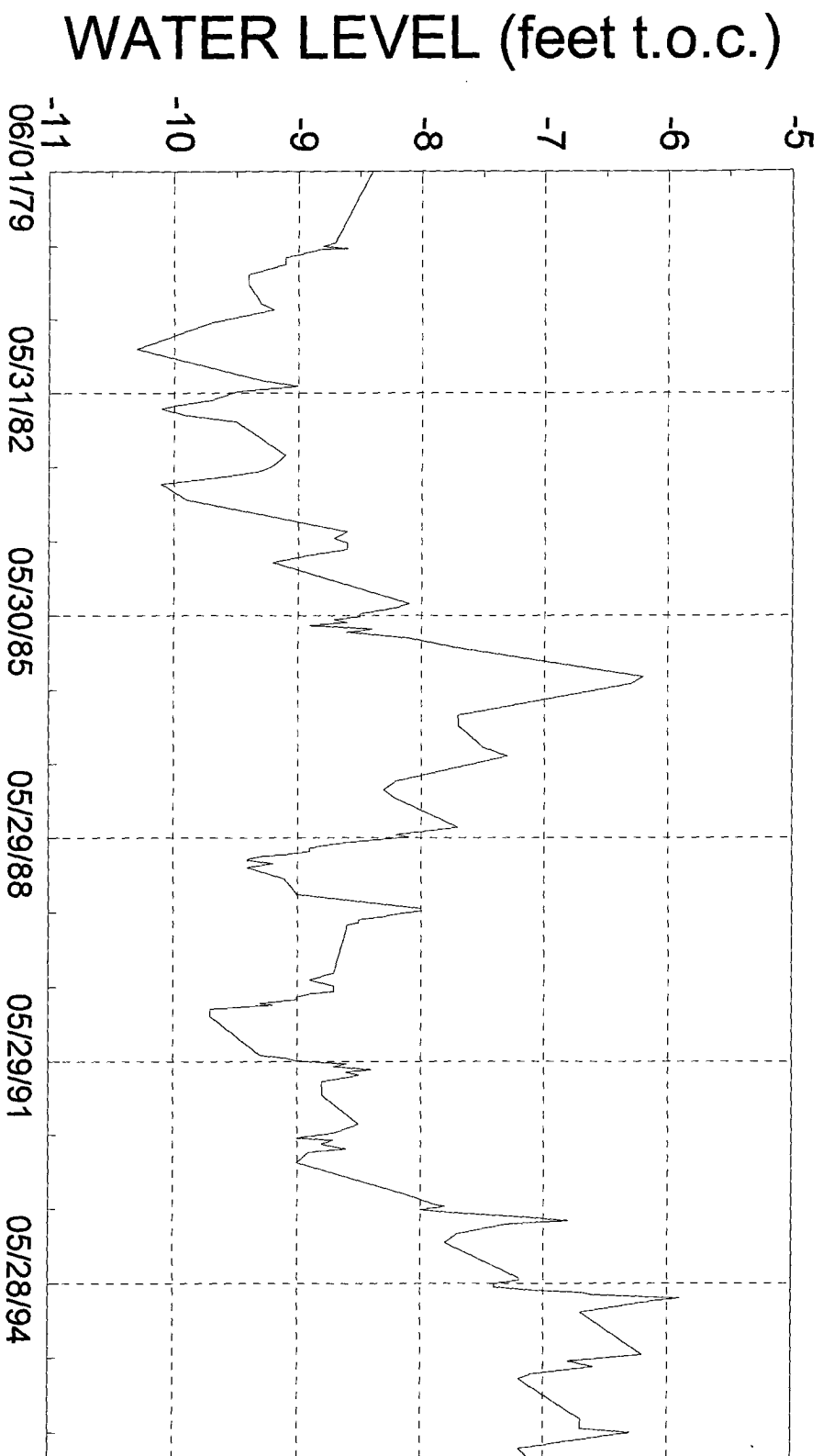

James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Christensen, C.M., 1987, Geology and Water Resources of Clark County SD, Part 1 : Geology, SDGS Bulletin 29, SD DENR, SDGS, Vermillion, SD, 57069.
- Hamilton, L.J., 1986, Geology and Water Resources of Clark County, SD, Part II: Water Resources, SDGS Bulletin 29, SD DENR, SDGS, Vermillion, SD, 57069.
- Hedges, L.S., 1982, Evaluation and Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Hedges, L.S., 1983, same, Task 7: Ground Water Recharge, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1997, Unpublished Observation Well Data for Clark County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

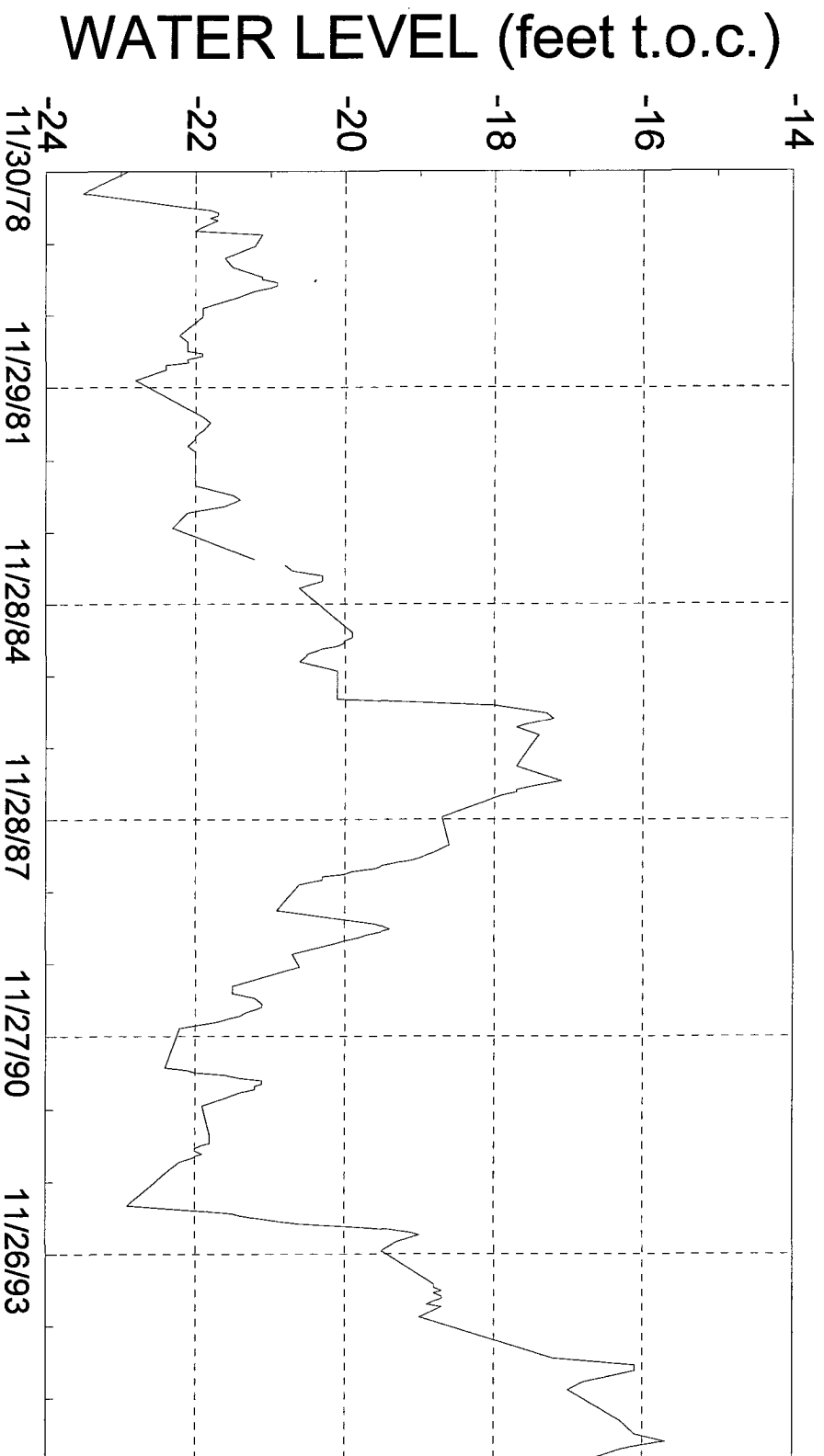
WATER RIGHTS OBSERVATION WELL

CK-78N



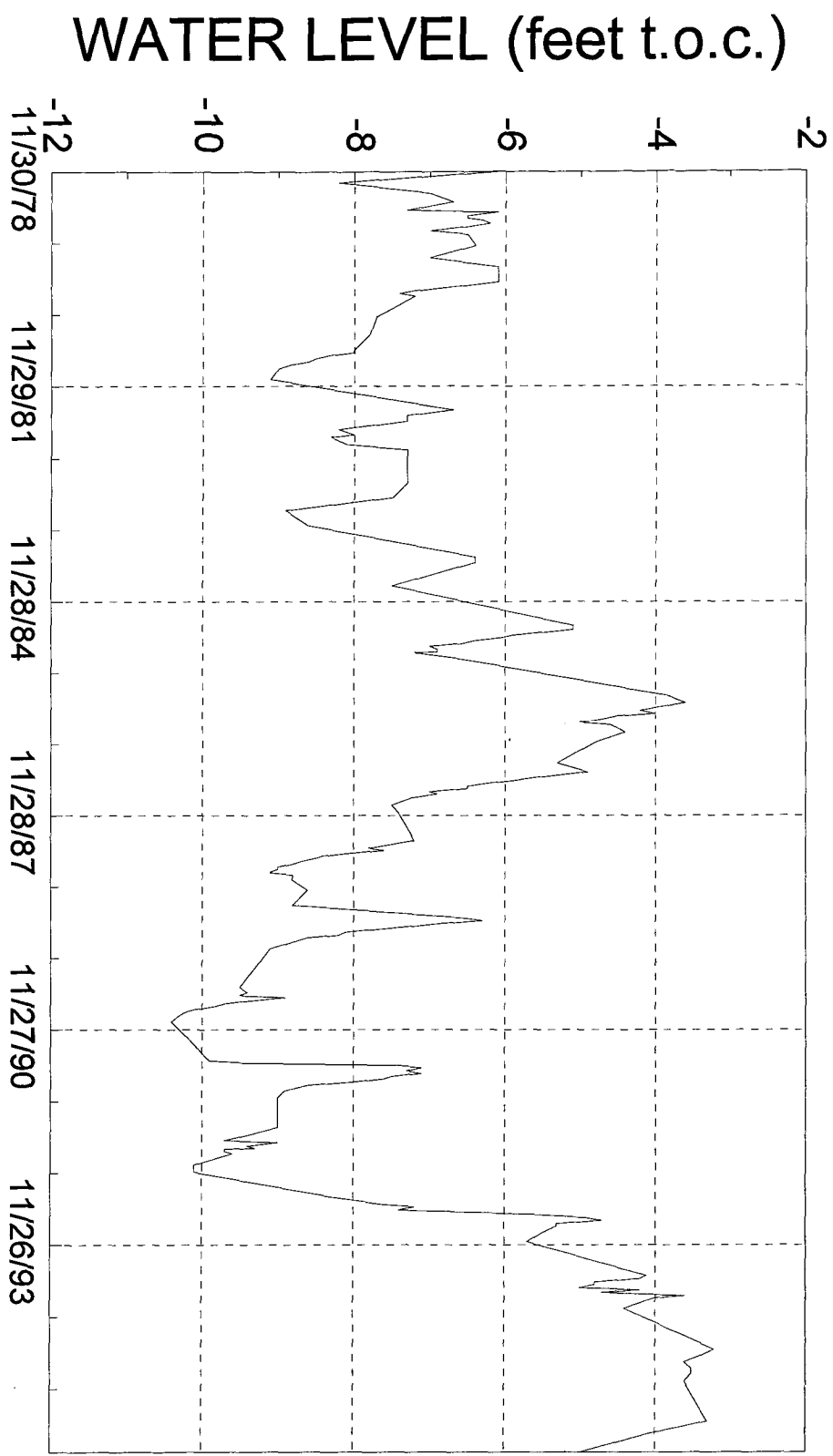
WATER RIGHTS OBSERVATION WELL

CK-78P



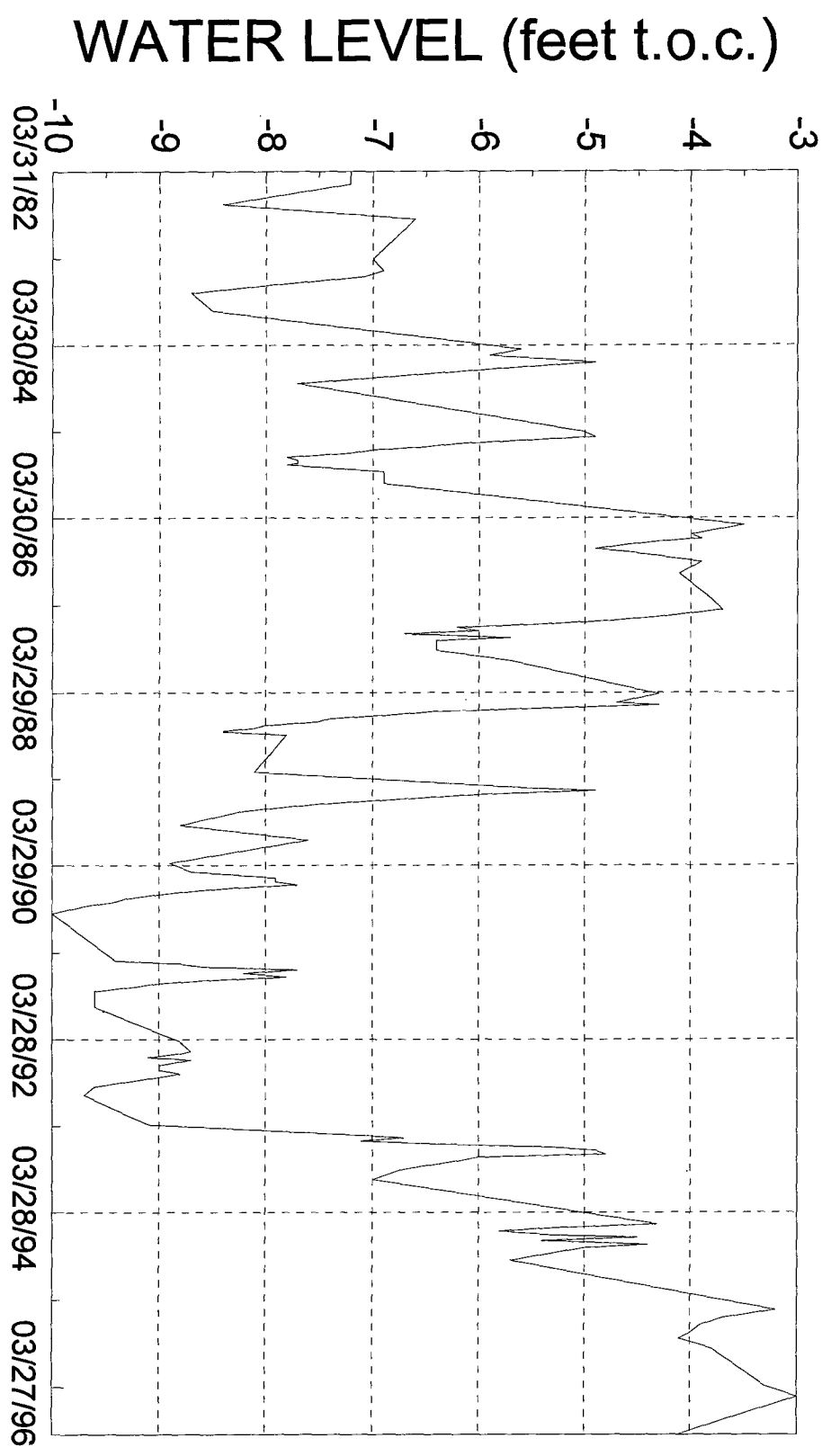
WATER RIGHTS OBSERVATION WELL

CK-78R



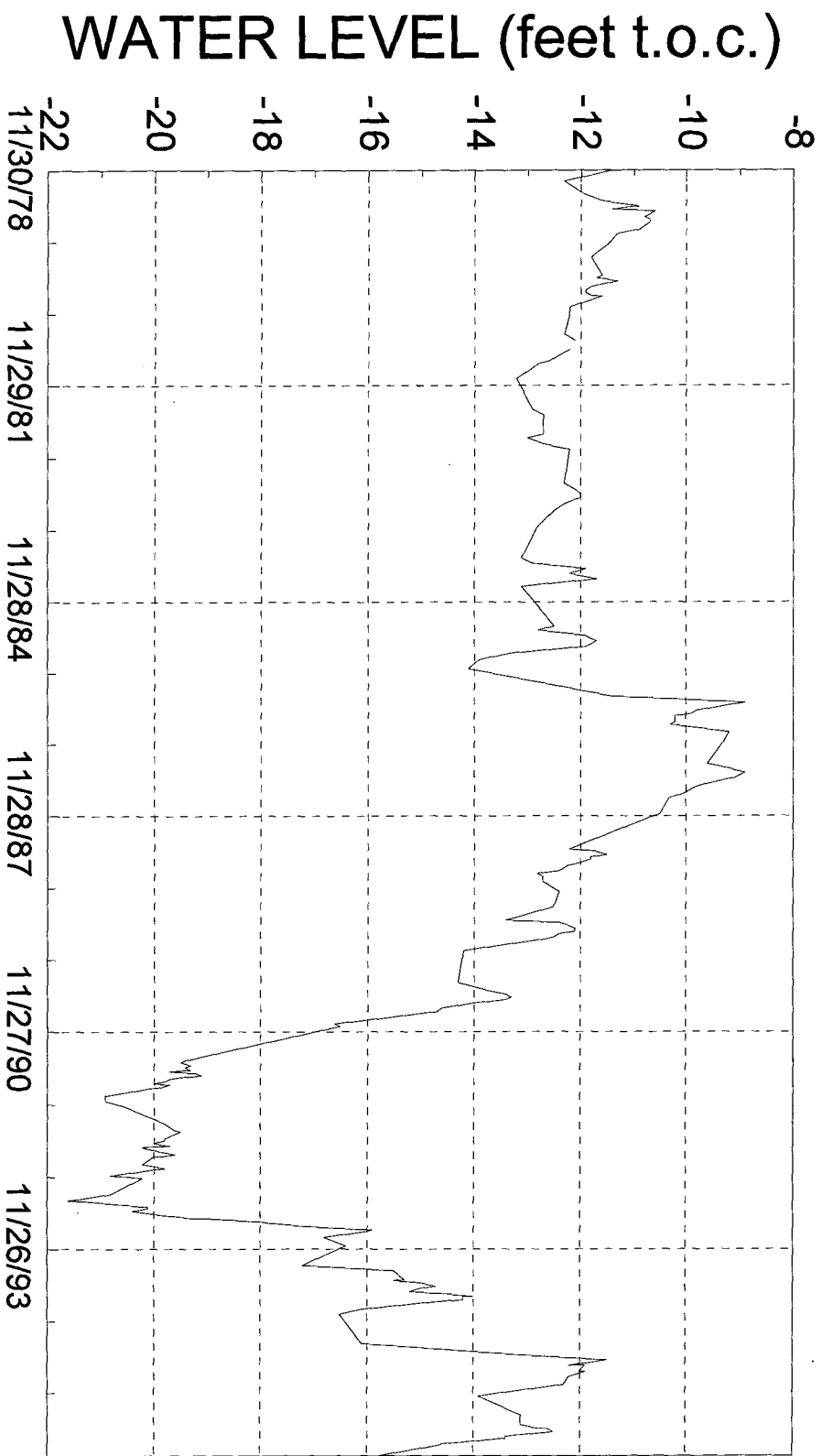
WATER RIGHTS OBSERVATION WELL

CK-780



WATER RIGHTS OBSERVATION WELL

CK-78Q



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5974-3, Clark Rural Water System**

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. 5974-3, Clark Rural Water System Inc., c/o Ronald Hinman, Chairman, PO Box 162, Clark, SD 57225.

The Chief Engineer is recommending APPROVAL of Application No. 5974-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Water Permit 5974-3 authorizes a total annual diversion of 675 acre feet of water annually from the well located in the SW1/4 SE1/4 Section 25, T116N, R58W.
3. The Clark Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn each year from the Vermillion East Fork Aquifer - Antelope Lake Aquifer.

See report on application for additional information.



JOHN HATCH, Chief Engineer
February 14, 1997



**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 NEWSPAPERS RIGHT AWAY.

February 19, 1997

Clark Rural Water System, Inc.
%Duane Stokes
P.O. Box 162
Clark, SD 57225

Dear Mr. Stokes:

Water Permit Application No. 5974-3 for rural water system use has been examined and found to comply with the South Dakota Water Laws and applicable rules. Notices of hearing have been sent to the Publishers of the Clark County Courier printed at Clark, SD (Ph # (605) 532-3654), the Public Opinion printed at Watertown, SD (Ph # (605) 886-6901), the Reporter & Farmer printed at Webster, SD (Ph # (605) 345-3356), and the Hamlin Co. Herald Enterprise printed at Hayti, SD (Ph # (605) 783-3636). For your information, a copy of the notices, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notices prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspapers to authorize publication of your Notices of Hearing and to arrange for payment. Early contact with the papers can eliminate delays. The publishers have been instructed to publish your notices once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspapers have 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 19, 1997

Public Opinion
P.O. Box 10
Watertown, SD 57201-0010

ATTENTION: Legal Department

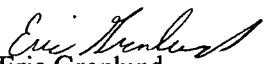
Enclosed is a Notice of Hearing on Application No. 5974-3 to be published twice. Please publish the first notice on March 3, 1997, with the second publication 7 days later.

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 Clark Rural Water System, Inc., %Duane Stokes, P.O. Box 162, Clark, SD 57225 (Ph # (605) 532-5201).

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 1997

Clark County Courier
Box 189
Clark, SD 57225

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5974-3 to be published twice. Please publish the first notice on March 5, 1997, 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 Clark Rural Water System, Inc., %Duane Stokes, P.O. Box 162, Clark, SD 57225 (Ph # (605) 532-5201).

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Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

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Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 1997

Reporter & Farmer
Box 30
Webster, SD 57274

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5974-3 to be published twice. Please publish the first notice on March 3, 1997, 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 Clark Rural Water System, Inc., %Duane Stokes, P.O. Box 162, Clark, SD 57225 (Ph # (605) 532-5201).

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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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 1997

Hamlin Co. Herald Enterprise
Box 207
Hayti, SD 57241-0207

ATTENTION: Legal Department

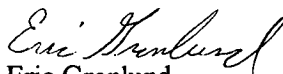
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Sincerely,


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 3, 1997, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5974-3 to Appropriate Water

Notice is given that Clark Rural Water System, Inc., PO Box 162, Clark SD 57225 has filed an application for a water permit to appropriate a total of 1.78 cubic feet of water per second (cfs). The rural water systems plans to appropriate 1.56 cfs [675 acre feet annually] from one new well (Vermillion East Fork Aquifer - Antelope Lake) 77 feet deep located in the SW 1/4 SE 1/4 Section 25-T116N-R58W. This application is also for an additional appropriation of 0.22 cfs from the wells authorized by Water Permit Nos. 4384-3 and 4384A-3. Permit Nos. 4384-3 and 4384A-3 authorized a diversion of 2.4 cfs from three wells (Vermillion East Fork Aquifer - Antelope Lake) located in the SW1/4 SW1/4 Section 7, T115N, R57W, NE1/4 NE1/4 Section 12, T115N, R58W and the SE1/4 SE1/4 Section 25, T116N, R58W. These three wells are capable of producing 2.62 cfs. The water will be used to supply the Clark Rural Water System, Inc. and to serve the cities of Clark and Wallace.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5974-3 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 24, 1997.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
 County of Day)

I, Orvilla Syverson

certify that the attached printed Notice was taken

from the March 3, 1997 issue of

Reporter and Farmer

printed and published in March 3, 1997

County of Day and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

March 3, 1997

March 10, 1997

Cost of Printing \$42.39

for both issues (Total)

Orvilla Syverson
 (Signature)

Office Clerk

(Title)

March 4, 1997
 (Date Signed)



Notice given on application

(First March 3)

NOTICE OF APPLICATION NO. 5974-3 TO APPROPRIATE WATER

Notice is given that Clark Rural Water System, Inc., PO Box 162, Clark SD 57225 has filed an application for a water permit to appropriate a total of 1.78 cubic feet of water per second (cfs). The rural water systems plans to appropriate 1.56 cfs [675 acre feet annually] from one new well (Vermillion East Fork Aquifer-Antelope Lake) 77 feet deep located in the SW 1/4 SE 1/4 Section 25-T116N-R58W. This application is also for an additional appropriation of 0.22 cfs from the wells authorized by Water Permit Nos. 4384-3 and 4384A-3. Permit Nos. 4384-3 and 4384A-3 authorized a diversion of 2.4 cfs from three wells (Vermillion East Fork Aquifer-Antelope Lake) located in the SW 1/4 SW 1/4 Section 7, T115N, R57W, NE 1/4 NE 1/4 Section 12, T115N, R58W and the SE 1/4 SE 1/4 Section 25, T116N, R58W. These three wells are capable of producing 2.62 cfs. The water will be used to supply the Clark Rural Water System, Inc. and to serve the cities of Clark and Wallace.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5974-3 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 24, 1997.

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.

(Last March 10)



OK

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Hamlin) SS

I, LeeAnne Archer

certify that the attached printed Notice was taken

from the Hamlin County
Herald Enterprise

printed and published in Harti

County of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

March 5, 1997

March 12, 1997

Cost of Printing \$47.01

LeeAnne Archer
 (Signature)

Owner
 (Title)

314-97
 (Date Signed)

NOTICE OF APPLICATIONS NO. 5974-3 TO APPROPRIATE WATER

Notice is given that Clark Rural Water System, Inc., P.O. Box 162, Clark S.D. 57225 has filed an application for a water permit to appropriate a total of 1.78 cubic feet of water per second (CFS). The rural water system plans to appropriate 1.56 cfs (675 acre feet annually) from one new well (Vermillion East Fork Aquifer - Antelope Lake (77 feet deep located in the SW 1/4 SE 1/4 Section 25-T116N-R58W. This application is also for an additional appropriation of 0.22 cfs from the wells authorized by Water Permit Nos. 4384-3 and 4384A-3. Permit Nos. 4384-3 and 4384A-3 authorized a diversion of 2.4 cfs from three wells (Vermillion East Fork Aquifer - Antelope Lake) located in the SW 1/4 SW 1/4 Section 7, T115N, R57W, NE 1/4 NE 1/4 Section 12, T115N, R58W and the SE 1/4 SE 1/4 Section 25, T116N, R58W. These three wells are capable of producing 2.62 cfs. The water will be used to supply the Clark Rural Water System, Inc., and to serve the cities of Clark and Wallace.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5974-3 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 applications, 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 applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this applications 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 East Capitol, Pierre, SD 57501 (605-773-3352) and the applicants mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 24, 1997.

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.

(published march 5 and 12, 1997)

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Codington)

I, Monica K. Saathoff

certify that the attached printed Notice was taken
from the Watertown Public Opinion

printed and published in Watertown

County of Codington and

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

March 3rd, 1997

March 10th, 1997

Cost of Printing \$86.76

Monica Saathoff
(Signature)

Bookkeeper

(Title)

March 10th, 1997

(Date Signed)



CLARK

NOTICE OF APPLICATION NO. 5974-3 to Appropriate Water

Notice is given that Clark Rural Water System, Inc., P.O. Box 162, Clark, SD 57225 has filed an application for a water permit to appropriate a total of 1.78 cubic feet of water per second (cfs). The rural water systems plans to appropriate 1.56 cfs (675 acre feet annually) from one new well (Vermillion East Fork Aquifer-Antelope Lake) 77 feet deep located in the SW 1/4 SE 1/4 Section 25-T116N-R58W. This application is also for an additional appropriation of 0.22 cfs from the wells authorized by Water Permit Nos. 4384-3 and 4384A-3. Permit Nos. 4384-3 and 4384A-3 authorized a diversion of 2.4 cfs from three wells (Vermillion East Fork Aquifer - Antelope Lake) located in the SW 1/4 SW 1/4 Section 7, T115N, R57W, NE 1/4 NE 1/4 Section 12, T115N, R58W and SE 1/4 SE 1/4 Section 25, T116N, R58W. These three wells are capable of producing 2.62 cfs. The water will be used to supply the Clark Rural Water System, Inc. and to serve the cities of Clark and Wallace.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5974-3 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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Vettie H. Myers, Secretary
Department of Environment and
Natural Resources
(March 3, 10, 1997)

904822-86.76



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 12, 1997

Clark Rural Water System
Duane Stokes
PO Box 162
Clark SD 57225

Dear Mr. Stokes:

Thank you for your call informing us that the Notice for Application No. 5974-3 was not correctly published by the Clark County Courier.

Notice of Application No. 5974-3 has again been sent to the Clark Co. Courier (605 532-3654). A copy of the notice is enclosed. The paper has been instructed to publish the notice on **March 19 and 26, 1997**. Be sure to contact the paper to authorize publication and arrange for payment.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



March 12, 1997

Clark County Courier
Box 189
Clark SD 57225

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dear Sir:

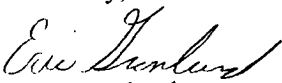
Enclosed is another Notice on Application No. 5974-3 to be published on **March 19 and 26, 1997**. Duane Stokes with the Clark Rural Water System has indicated the Notice sent to your paper on February 19, 1997, was only published on March 5, 1997. The second publication did not occur on March 12, 1997. Statutes require the Notice to be published twice with the second publication 7 days later.

Duane Stokes has been instructed to verify that the notice is to be published on March 19 and 26, 1997 and to arrange for payment.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

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Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE
No. 5974-3

TO: Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

Date 5974-3

We are in receipt of your letter of March 12, 1997 enclosing Notice on Application No. 5974-3 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 19, 1997, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5974-3 to Appropriate Water

Notice is given that Clark Rural Water System, Inc., PO Box 162, Clark SD 57225 has filed an application for a water permit to appropriate a total of 1.78 cubic feet of water per second (cfs). The rural water systems plans to appropriate 1.56 cfs [675 acre feet annually] from one new well (Vermillion East Fork Aquifer - Antelope Lake) 77 feet deep located in the SW 1/4 SE 1/4 Section 25-T116N-R58W. This application is also for an additional appropriation of 0.22 cfs from the wells authorized by Water Permit Nos. 4384-3 and 4384A-3. Permit Nos. 4384-3 and 4384A-3 authorized a diversion of 2.4 cfs from three wells (Vermillion East Fork Aquifer - Antelope Lake) located in the SW1/4 SW1/4 Section 7, T115N, R57W, NE1/4 NE1/4 Section 12, T115N, R58W and the SE1/4 SE1/4 Section 25, T116N, R58W. These three wells are capable of producing 2.62 cfs. The water will be used to supply the Clark Rural Water System, Inc. and to serve the cities of Clark and Wallace

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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 April 7, 1997.

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.

Affidavit of Publication

State of South Dakota

§

County of Clark



NOTICE OF APPLICATION NO. 5974-3 TO APPROPRIATE WATER

Notice is given that Clark Rural Water System, Inc., PO Box 162, Clark, SD 57225 has filed an application for a water permit to appropriate a total of 1.78 cubic feet of water per second (cfs). The rural water systems plans to appropriate 1.56 cfs (675 acre feet annually) from one new well (Vermillion East Fork Aquifer - Antelope Lake) 77 feet deep located in the SW 1/4 SE 1/4 Section 25-T116N-R58W. This application is also for an additional appropriation of 0.22 cfs from the wells authorized by Water Permit Nos. 4384-3 and 4384A-3. Permit Nos. 4384-3 and 4384A-3 authorized a diversion of 2.4 cfs from three wells (Vermillion East Fork Aquifer - Antelope Lake) located in the SW 1/4 SW 1/4 Section 7, T115N, R57W, NE 1/4 NE 1/4 Section 12, T115N, R58W and the SE 1/4 SE 1/4 Section 25, T116N, R58W. These three wells are capable of producing 2.62 cfs. The water will be used to supply the Clark Rural Water System, Inc. and to serve the cities of Clark and Wallace.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5974-3 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 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 April 7, 1997.

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
Dept. of Environment
& Natural Resources
(3-19-2t)

David Moritz of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of a least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

Clark Rural Water

Notice of Application No. 5974-3 To Appropriate Water

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

Two(2)

successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

**March 19, 1997
March 26, 1997**

that the full amount of the fees for the publication of the annexed notice is

\$42.43

Subscribed and sworn to before me this

31st Day of March, 1997

Notary Public
Clark County, South Dakota

My commission expires
7-15-1999



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 23 1997

Clark Rural Water System
c/o Duane Stokes
PO Box 162
Clark SD 57225

Dear Mr. Stokes:

Enclosed are Water Permit Nos. 5974-3 and 5974A-3 and Water License No. 5974A-3 for the Clark Rural Water System. Water Permit No. 5974-3 has been divided to separate the new well from the existing developed wells.

Water Permit No. 5974-3 authorizes construction of a new well located in the SW 1/4 SE 1/4 Section 25-T116N-R58W. Along with the permit is a Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, which needs to be submitted when the rural water system has completed the well and/or have put the water to beneficial use. An investigation of this permit can then be scheduled so the Water License may be issued.

Water Permit No. 5974A-3 authorizes the additional appropriation from the wells authorized by Water Permit Nos. 4384-3 and 4384-3A. Water License No. 5974A-3 incorporates the applicable portions of Water Permit Nos. 4384-3 and 4384-3A. The license investigation fee has been paid and the receipt is enclosed.

As long as the rural water system uses the water beneficially as stated in the permit and license, the rural water system has continuing right to use the water.

Very truly yours,

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

enclosures

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



Date July 31, 1997

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

FROM: Clark Rural Water System, Inc. Box 162
(name) (address)

Clark South Dakota 57225 605-532-5201
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5974-3.

Water Permit No. 5974-3 states that the diversion system is to be constructed by April 7, 2002, and that the water is put to beneficial use by
(date)

April 7, 2006.
(date)

The diversion system was completed on June 6, 1997.
(date)

Applying the water to beneficial use was completed on July 17, 1997.
(date)

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

Duane C. Shuman, Mgr.
(signature)

1/10/99
JAG

CLARK RURAL WATER SYSTEM WELLS

WELL #1 116-58-25-SE 1/4 DRILLED DEC 1979 - PECKHAM WELL
350 GPM 67' X 12" X 10' OF 12" PS 100 SLOT SCREEN
CLEANED AND BAILED 1992
GOULDS 8RJCC 2 25HP INSTALLED 6-3-92
CLEANED 7-27-95
NEW DROP PIPE 7-27-95
CLEANED / ACIDIZED / ONE SECTION PIPE 12/9/98
NEW MOTOR 7/8/99 25 HP HITACHI
GOULDS 8RJLC-2 25 HP INSTALLED FROM WELL#5 12/1/99

WELL #2 115-58-12-NE 1/4 DRILLED DEC 1982 - PECKHAM WELL
600 GPM 52' X 12" X 12' OF 12" 140 SLOT SCREEN GRAVEL PACK
CLEANED 8-23-95
NEW DROP PIPE 8-23-95
NEW GRUNDFOS SP 120-2 30 HP INSTALLED 7-15-96
INSTALL NEW 30 HP MOTOR AND REBUILT PUMP 5-2-98
12/10/98 CLEANED / ACIDIZED/ PITLESS SPOOL REPAIRED
FOUND HOLE IN CASING - PITLESS UNIT BADLY ERODED
INSTALLED 14' SCREEN W/ PACKER RINGS SEPT 99

WELL #3 115-57-7-SW 1/4 DRILLED JAN 1980 - PECKHAM WELL
250 GPM 49' X 12" X 10' OF 75 SLOT SCREEN GRAVEL PACK
ABANDONED OCTOBER 1996
NEW WELL DRILLED 10-3-96 BY LTP GRAVEL PACK
47' X 12" X 10' OF 12" PS 70 SLOT SCREEN
LAYNE 8DRLC 15 HP NEW MOTOR 1996

WELL #4 116-58-36-NE 1/4 DRILLED 9-24-91 BY LTP
220 GPM 53' X 12" X 10' OF 12" 55 SLOT SCREEN
LAYNE PRHC-2 20 HP (1982 PUMP /MOTOR FROM #1)
CLEANED 7/25/95
NEW CHECK VALVE 6-5-97
CLEANED 12/9/98 (MOTOR SPLINES WORN)
ACIDIZED / SURGED INSTALL 10 HP MOTOR 11/30/99
NEW PUMP GRUNDFOS 230S100-3 11/30/99

WELL #5 116-58-25-SE 1/4 DRILLED 9-16-96 BY LTP
700 GPM 77' X 12" X 10' OF 70 SLOT SCREEN
NEW PUMP GRUNDFOS 625S500-3-2 12/1/99
NEW MOTOR HITACHI 50HP G89318E 12/1/99



WELL #1 116-58-25-SE 1/4 **DRILLED DEC 1979 - PECKHAM WELL**
350 GPM 67' X 12" X 10' OF 12" PS 100 SLOT SCREEN
CLEANED AND BAILED 1992
GOULDS 8RJCC 2 25HP INSTALLED 6-3-92
CLEANED 7-27-95
NEW DROP PIPE 7-27-95
CLEANED / ACIDIZED / ONE SECTION PIPE 12/9/98
NEW MOTOR 7/8/99 25 HP HITACHI

WELL #2 115-58-12-NE 1/4 **DRILLED DEC 1982 - PECKHAM WELL**
600 GPM 52' X 12" X 12' OF 12" 140 SLOT SCREEN GRAVEL PACK
CLEANED 8-23-95
NEW DROP PIPE 8-23-95
NEW GRUNDFOS SP 600 30 HP INSTALLED 7-15-96
INSTALL NEW 30 HP MOTOR AND REBUILT PUMP 5-2-98
12/10/98 CLEANED / ACIDIZED/ PITLESS SPOOL REPAIRED
FOUND HOLE IN CASING PITLESS UNIT BADLY ERODED

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250 GPM 49' X 12" X 10' OF 75 SLOT SCREEN GRAVEL PACK
ABANDONED OCTOBER 1996
NEW WELL DRILLED 10-3-96 BY LTP GRAVEL PACK
47' X 12" X 10' OF 12" PS 70 SLOT SCREEN
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CLEANED 7/25/95
NEW CHECK VALVE 6-5-97
CLEANED 12/9/98 (MOTOR SPLINES WORN)

WELL #5 116-58-25-SE 1/4 **DRILLED 9-16-96 BY LTP**
500 GPM 77' X 12" X 10' OF 70 SLOT SCREEN
GOULDS 8RJLC-2 25 HP

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5974-3

DATE OF INVESTIGATION:	October 20, 1999
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Duane Stokes, Manager
NAME & ADDRESS OF PERMIT HOLDER	Clark Rural Water System, Inc. PO Box 162 Clark, SD 57225
DIVERSION POINT LEGAL LOCATION	1814 west and 730 feet north of the SE corner of section 25, T116N R58W in Clark County, SD.

Other permit(s) associated with the project: 4384-3, 4384-3A, 4927-3, 5974A-3, 5606-3

WELL INFORMATION:

- 1) Well Drilling Firm: LTP Enterprises, Inc.
- 2) No. of Wells one
- 3) Depth(s) 77 feet
- 4) Well log is available Y~~N~~
- 5) Comment: drilled in 1996, called well #5

Casing:

- 1) Diameter 12 inches
- 2) Length 69 feet
- 3) Type steel, 49.56 lb/ft

Screen:

- 1) Type 12 inch stainless steel 70 slot set from 67 to 77 feet blsd
- 2) Length 10 feet
- 3) Static water level 38 feet

Pump:

- 1) Make Grundfos
- 2) Model 625S500-3-2
- 3) Size _____
- 4) Capacity 700 GPM

PERMIT NO. 5974-3

Motor:

- 1) Make Hitachi
- 2) Model No. G89318E
- 3) Horsepower rating 50 hp

PERMIT QUALIFICATIONS:

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

Permit No. 5974-3
Vermillion River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **October 20, 1999**, made a thorough examination of the water use system constructed by **Clark Rural Water System, Inc.** of **PO Box 162, Clark, SD, 57225** holder of Permit No. **5974-3**, bearing the priority of **December 23, 1996** authorizing the diversion of **1.56** cu. ft. per second from the **Vermillion East Fork Antelope Lake aquifer** for **rural water system use** purposes, in **Clark, Codington, Day and Hamlin Counties** and the cities of **Clark and Wallace**.

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

A. Works used to divert the water:

One well 77 feet deep constructed with 12 inch steel casing and 10 feet of 12 inch stainless steel 70 slot screen equipped with a Grundfos 625S500-3 pump and 50 HP Hitachi motor capable of diverting 700 gpm.

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

Pipeline from well to treatment plant located in the NE ¼ of section 12, T115N R58W.

C. Works used to apply water to beneficial use:

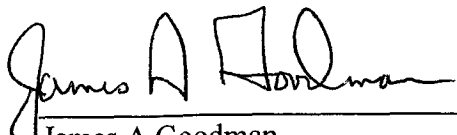
Pipeline from treatment plant to rural customers.

The system is in the following condition, **excellent**. The point of diversion is located **1814 feet west and 730 feet north of the SE corner of section 25, T116N R58W**. The works are capable of diverting and conveying to the place of use **1.56** cu. ft. per second of water for **rural water system use**. Water has been put to beneficial use to the maximum extent as follows:

The license should be issued for **1.56** cfs .

Applicable permit qualifications have been complied with: Yes ☒ No ☐

Exceptions to compliance are: none Date report completed: **January 10, 2000**



James A Goodman
Natural Resources Engineer
DENR, Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 18, 2000

5606-3
5974-3

Clark Rural Water System, Inc.
%Duane Stokes, Manager
P.O. Box 162
Clark, SD 57225

Dear Mr. Stokes:

The investigation of your water use systems was conducted on October 20, 1999, by Jim Goodman, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 5606-3 and 5974-3. Your final water right documents, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee per license (\$100.00 total) for the investigation and issuance of the Water Licenses. Upon receipt of the \$50.00 fee per license (\$100.00 total) from you, we will begin processing your Water Licenses.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

A handwritten signature in cursive script, reading "Cheryl F. Frost".

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit numbers. This will insure proper handling of the fee.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416359

Pierre, January 21, 2000

RECEIVED OF Clark Rural Water Systems, Inc., Box 162, Clark, SD 57225
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. 5974-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By Harold Ewell
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

FEB 22 2000

5606-3
5974-3

Clark Rural Water System, Inc.
%Duane Stokes, Manager
P.O. Box 162
Clark, SD 57225

Dear Mr. Stokes:

Enclosed are Water License Nos. 5656-3 and 5974-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 416358 and 416359 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 5606-3 and 5974-3, 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 Licenses, 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

ks
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5974-3

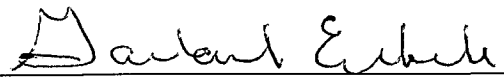
(1) Clark Rural Water System, Inc., PO Box 162, Clark SD 57225 made Application No. 5974-3, December 23, 1996 for a water permit to divert 1.56 cubic feet of water per second (675 acre-feet annually) from groundwater (one well), Clark County, South Dakota for rural water system use purposes. Permit No. 5974-3, with a priority date of December 23, 1996 was approved April 7, 1997 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 7, 2002 and for the application to beneficial use of said water on or before April 7, 2006.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on August 4, 1997. The *Notice* stated the diversion system was completed on June 6, 1997 and the water placed to beneficial use on July 17, 1997.

(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 1.56 cubic feet of water per second for beneficial use (675 acre-feet annually). The location of the diversion point is 1,814 feet west and 730 feet north of the southeast corner of Section 25-T116N-R58W (SW ¼ SE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in Clark, Codington, Day and Hamlin Counties.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Clark Rural Water System, Inc., PO Box 162, Clark SD 57225 the holder and/or owner of Water Right No. 5974-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second (675 acre-feet annually) from groundwater (one well) with a priority date of December 23, 1996 from the location specified in (2) of this license for rural water system use. This license is subject to any limitations or qualifications listed in Water Right No. 5974-3 and subject to South Dakota State Law.


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

FEB 22 2000

date





DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov



March 31, 2014

5974-3 and 5974A-3

Clark Rural Water System
c/o Terry Kaufman
PO Box 162
Clark, SD 57225

Dear Mr. Kaufman:

Water Permit No. 5974-3 and 5974A-3 appropriate 1.56 and 2.62 cubic feet per second (cfs), respectively, from four wells (one for 5974-3 and three for 5974A-3) completed into the Antelope Lake Management Unit of the Vermillion East Fork aquifer. The well associated with Water Right No. 5974-3 is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T116N-R58W. The wells associated with Water Right No. 5974A-3 are located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T115N-R57W, the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T115N-R58W, and in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T116N-R58W.

You have requested to move the well associated with Water Right No. 5974-3 and the well associated with Water Right No. 5974A-3 that is located in Section 25, T116N-R58W. The basis behind this request is that water in the existing wells has become too hard.

Upon review of the request and pursuant to SDCL 46-5-13.1, the change in well locations is authorized without application or publication of a notice of hearing pursuant to SDCL 45-2A-4. No increase in the authorized diversion rates of 1.56 and 2.62 cfs from Water Right Nos. 5974-3 and 5974A-3, respectively, has been requested or approved. If the total diversion rates increase, new water permits will need to be obtained from the SD DENR Water Rights Program.

If you have any questions, please contact Bracken Capen at (605) 773-3352.

Sincerely,

Jeanne Goodman
Chief Engineer
Water Rights Program

File No. 5974-3 and 5974A-3

Approval of Change of Diversion Point

NAME: Clark Rural Water Systems, Inc.

ADDRESS: PO Box 162, Clark, SD 57225

DATE: March 17, 2014

COUNTY: Clark

TELEPHONE: (605) 532-5201

BACKGROUND:

Water Right No. 5974-3 appropriates 1.56 cubic feet per second (cfs) from a single well located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T116N-R58W and completed into the Antelope Lake Management Unit of the Vermillion East Fork aquifer at a depth of approximately 77 feet.

Water Right No. 5974A-3 incorporates Water Right No. 4384-3 and Water Right No. 4384-3A and adds an additional 0.22 cfs to the 2.4 cfs already appropriated under those water rights (for a total of 2.62 cfs). Water Right No. 5974A-3 consists of three wells at depths of 23 to 52 feet, completed into the Antelope Lake Management Unit of the Vermillion East Fork aquifer, and located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T115N-R57W, the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T115N-R58W, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T116N-R58W.

Clark Rural Water System, Inc. has requested permission to move the single well associated with Water Right No. 5974-3 and the well associated with Water Right No. 5974A-3 which is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T116N-R58W. The replacement wells will both be located in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 12, T115N-R58W in a gravel pit. They will both be completed to a depth of 28 feet below the floor of the gravel pit or 48 feet below ground surface. The basis behind this request is that the water produced from the two existing wells has become too hard.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional points may be licensed provided the following conditions are met and the potential for interference with other existing diversion points is not increased.

- **Developed water source is the same as licensed source and no additional water is appropriated.**

The water source authorized by Water Right Nos. 5974-3 and 5974A-3 is the Vermillion East Fork: Antelope Lake aquifer. The existing wells are completed to a depth of approximately 77 (5974-3) and 55 feet (5974A-3) below land surface. The new wells will both be completed to a depth of approximately 28 feet (or 48 feet below ground surface) and are expected to divert from the Vermillion East Fork: Antelope Lake aquifer.

No additional appropriation of water is authorized. Water Right Nos. 5974-3 and 5974A-3 appropriate 1.56 and 2.62 cfs, respectively. No additional diversion rate authority is being requested.

Review of Existing Diversions

The well completion report and water rights databases were reviewed for the nearest domestic wells and water rights/permits on file. Clark Rural Water System, Inc. operates several existing wells in close proximity to the proposed new well locations. Wells designated #7 and #8, both associated with Water Right No. 5974A-3, are located in the northeast corner of the gravel pit into which the new wells will be

completed. Any interference as a result of pumping from the new wells will be seen as a management issue within Clark Rural Water System, Inc. The nearest water right not controlled by Clark Rural Water System, Inc, 2533-3, is located approximately 1,200 feet to the southeast of the proposed well sites. The well associated with this water right is not expected to experience interference as a result of pumping from the new wells. The nearest domestic well completed into the Antelope Lake Management Unit of the Vermillion East Fork aquifer is located approximately 1,100 feet to the south of the closest new well. Assuming that this is an adequate well, unlawful impairment is not expected to occur.

Observation Well Data

The Water Rights Program monitors a series of observation wells completed into the Vermillion East Fork: Antelope Lake aquifer. The closest observation well (CK-78Q) is located approximately 1,500 feet from both new well locations. This well has been in place since 1978 and shows static water level fluctuations of between eight and 22 feet below the top of the casing. Historic water levels in CK-78Q show that the aquifer levels are primarily controlled by climatic conditions but do show the effects of season pumping.

CONCLUSION:

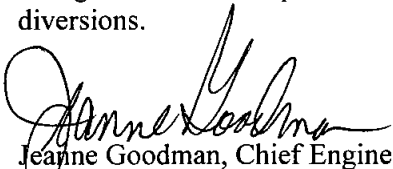
- The change in well locations does not propose to appropriate additional water.
- The new wells are completed into the same formation as the existing well, the Vermillion east Fork: Antelope Lake aquifer.
- Unlawful impairment of existing water rights is not expected to occur.
- The original wells should be plugged in accordance with South Dakota well drilling standards.

RECOMMENDED ACTION:

Based on the above criteria, it is recommended that the request for a change of diversion points to the E ½ NE¼ of Section 12, T115N-R58W be approved.

Bracken Capen
Natural Resources Engineer

The Chief Engineer makes a finding pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14:01 that: The change in diversion point locations does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program

**Clark Rural Water
Systems, Inc.**



RECEIVED

MAR 05 2014

**WATER RIGHTS
PROGRAM**

PO Box 162, 1001 – 1st Ave. W
Clark, SD 57225
Toll Free 800-657-4310
Phone 605-532-5201
Fax 605-532-3531
Email crws@itctel.com

Eric Gronlund,

The Clark Rural Water System, Inc. is requesting permission to move the point of diversion from wells 1 & 5, South 4.5 miles to two new wells in the same aquifer. No additional water will be needed. The water from wells 1 & 5 has become much harder in recent years. They have gone from 30 grains to near 60 grains. The new wells will be drilled 28' deep from the floor of the gravel pit witch puts them at 48' from ground level.

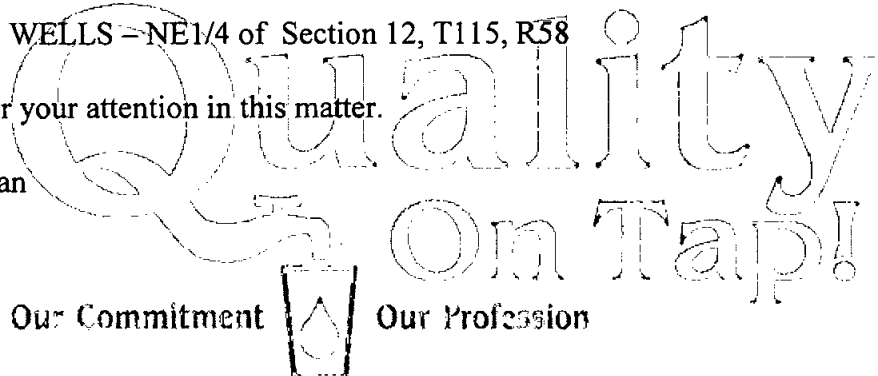
CRWS Well #1 - SE1/4 of SE1/4 Section 25, T116, R 58

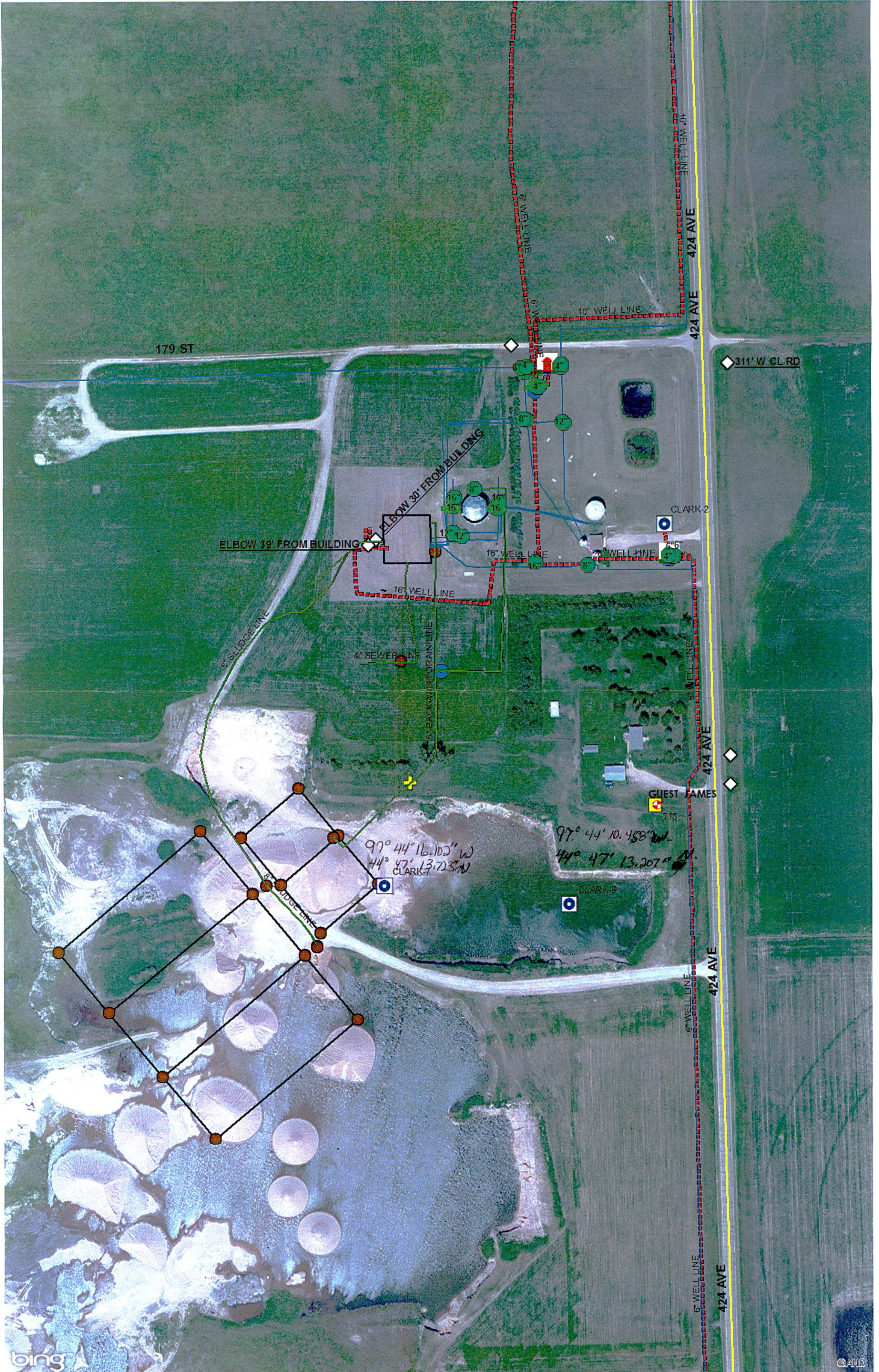
CRWS Well #5 - SW 1/4 of SE 1/4 Section 25, T116, R58

CRWS NEW WELLS – NE1/4 of Section 12, T115, R58

Thank you for your attention in this matter.

Terry Kaufman







116-58-25

97° 44' 30.706" W
44° 49' 16.442" N
#5974-3



8" WELL LINE



177 ST

99° 44' 13.171" W
44° 49' 10.642" N
#5974A-3



CLARK-1



CLARK-4

6" WELL LINE

10" WELL LINE
10" WELL LINE

424 AVE

424 AVE

424 AVE

424 AVE

130' W CL RD

111' W CL RD

119' W CL RD

ENT ITEM 3

ENT ITEM 3

ENT ITEM 3

424 AVE

ENT ITEM 3

**Clark Rural Water
Systems, Inc.**



RECEIVED
JUN 23 2016
**WATER RIGHTS
PROGRAM**

5974-3
PO Box 162, 1001 – 1st Ave. W
Clark, SD 57225
Toll Free 800-657-4310
Phone 605-532-5201
Fax 605-532-3531
Email crws@itctel.com

Eric Gronlund,

The Clark Rural Water System, Inc. is requesting permission to add a well to bring back our well production that we lost when we replaced two old wells with two smaller ones. I am looking to replace one of the wells we took out of service in 2013 even though it is somewhat harder water I can blend it with the new wells during our peak water usage time.

Water Permit No. 5974-3 and 5974A-3

CRWS Well #7 would be drilled in - SE1/4 of SE1/4 Section 25, T116, R 58

Lat. 44.819563°
Long. -97.736955°

Depth of 60' and 200 GPM

Thank you for your attention in this matter.

Terry Kaufman



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

July 20, 2016

Terry Kaufman
Clark Rural Water System
PO Box 162
Clark SD 57225

Dear Mr. Kaufman:

I am writing in regard to Clark Rural Water System's request for an additional well to what is currently authorized by Water Right Nos. 5974-3 and 5974A-3.

Water Right Nos. 5974-3 and 5974A-3, combined appropriate 4.18 cubic feet of water per second (cfs) from four wells located in the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 12, T115N, R58W (three wells) and the SW $\frac{1}{4}$ SW1/4 Section 7, T115N, R57W (one well). Clark Rural Water System requested an additional well to bring well production back to the systems previous level.

Upon review of the request and pursuant to SDCL 46-5-13.1, the additional well to be located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, T116N, R58W is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. No increase in the authorized diversion rate of 4.18 cfs from the five wells is authorized. If the total diversion rate increases, a new water right permit will need to be obtained.

If you have any questions, please contact Eric Gronlund at (605) 773-3352.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program

Request for an Additional Diversion Point

NAME: Clark Rural Water System, Inc.

ADDRESS: PO Box 162, Clark SD 57225

DATE: July 5, 2016 **COUNTY:** Clark **TELEPHONE:** 605 532-5201

BACKGROUND:

Clark Rural Water System has made a request for an additional well under Water Right Nos 5974-3 and 5974A-3.

Water Right Nos. 5974-3 and 5974A-3, combined, appropriate 4.18 cubic feet of water per second (cfs) from four wells located in the E ½ NE ¼ Section 12, T115N, R58W (three wells), and the SW ¼ SW1/4 Section 7, T115N, R57W (one well). All the wells are constructed in the Antelope Lake management unit of the Vermillion East Fork Aquifer. Clark Rural Water System requested an additional well to bring well production back to the systems previous level.

The request states the new well will be 60 feet deep and located in the SE ¼ SE ¼ of Section 25, T116N, R58W.

In 2014, Clark RWS made a request to change the two well locations for wells located in the SE ¼ SE ¼ Section 25, T116N, R58W to the E ½ NE ¼ Section 12, T115N, R58W. One well was authorized by Water Right No. 5974-3 while the other well was one of the three wells authorized by Water Right No. 5974A-3. At the time the basis behind the request was the water produced from the two wells in the SE ¼ SE ¼ of Section 25 had become too hard. However, in changing the well locations the newer wells were smaller than the existing wells. The current request for an additional well seeks to add a well back in the SE ¼ SE ¼ of Section 25 even though the water is hard. Clark RWS believes they can manage the water hardness issue by blending it with the other wells during high peak water usage periods.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The water source authorized by Water Right Nos. 5974-3 and 5974A-3 is the Antelope Lake management unit of the Vermillion East Fork Aquifer. The additional well is to be completed to a depth of 60 feet which will be the Antelope Lake management unit of the Vermillion East Fork Aquifer.

No additional appropriation of water is requested. This request is to add a well to bring production back to the permitted amount.

- **Existing Diversions**

The well completion report and water rights databases were reviewed for the nearest domestic wells and water rights/permit on file. The nearest domestic well on file completed into this aquifer is approximately

4,600 feet to the north. The nearest water right is located in the quarter section to the east (SW ¼ Section 30, T116N, R57W). This water right has four wells that supply irrigation water with the nearest well about 1,320 feet to the east of Clark RWS's additional well.

- **Observation Well Data**

The Water Rights Program monitors observation wells completed into the Vermillion East Fork:Antelope Lake aquifer. The closest observation well completed into this aquifer is CK-78O located approximately one half mile east of the additional well location. The hydrograph is shown in Figure 1. The hydrograph shows that the aquifer level is primarily controlled by climatic conditions but does show minor effects of seasonal pumping.

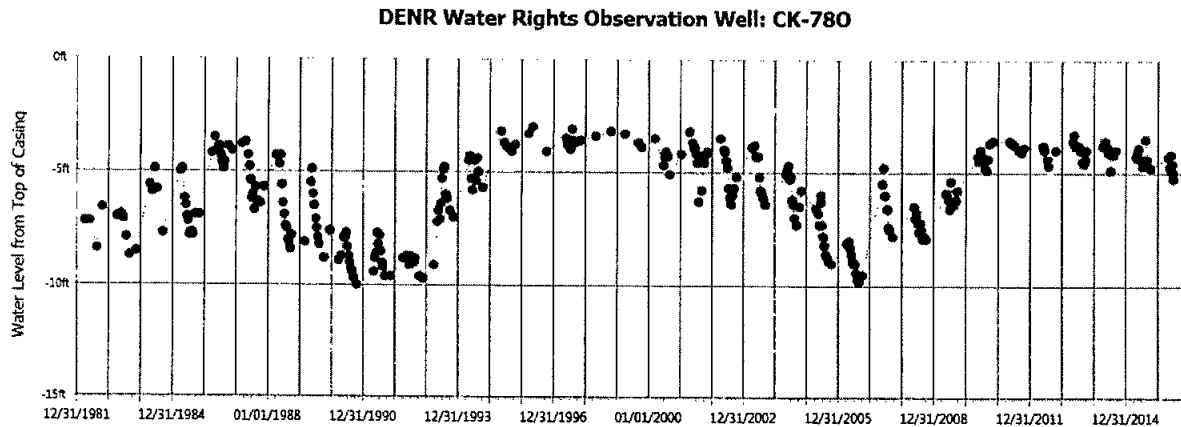


Figure 1 Hydrograph for Observation Well No. CK-78O

Observation well CK-76Q is located approximately two miles south of the requested additional well and completed into the same aquifer. It is located in close proximity to the three production wells authorized by Water Right Nos. 5974-3 and 5974A-3. This observation well does indicate a slightly decreasing trend in the water level. This can be explained by the fact that the aquifer has yet to equilibrate due to the increased pumping since the change of diversion points that were authorized in 2014. Two other observation wells CK-78P and CK-78R located within a mile of CK-76Q both show an increasing trend in water levels.

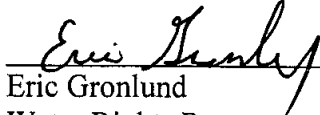
Given the observation well water level and the distance between the proposed additional well and existing known diversions, unlawful impairment is not expected to occur. Also, this additional well is in the same general location of two previous Clark RWS wells that operated for a number of years with area domestic wells and the wells supplying the irrigation system in the quarter section to the east.

CONCLUSION

- The additional well does not appropriate additional water.
- The water source continues to be Antelope Lake management unit of the Vermillion East Fork Aquifer.
- Interference resulting in unlawful impairment is not expected to occur.

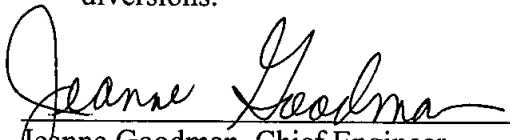
RECOMMENDED ACTION

Based on the above criteria, it is recommended that the additional well under Water Right Nos. 5974-3 and 5974A-3 should be authorized.

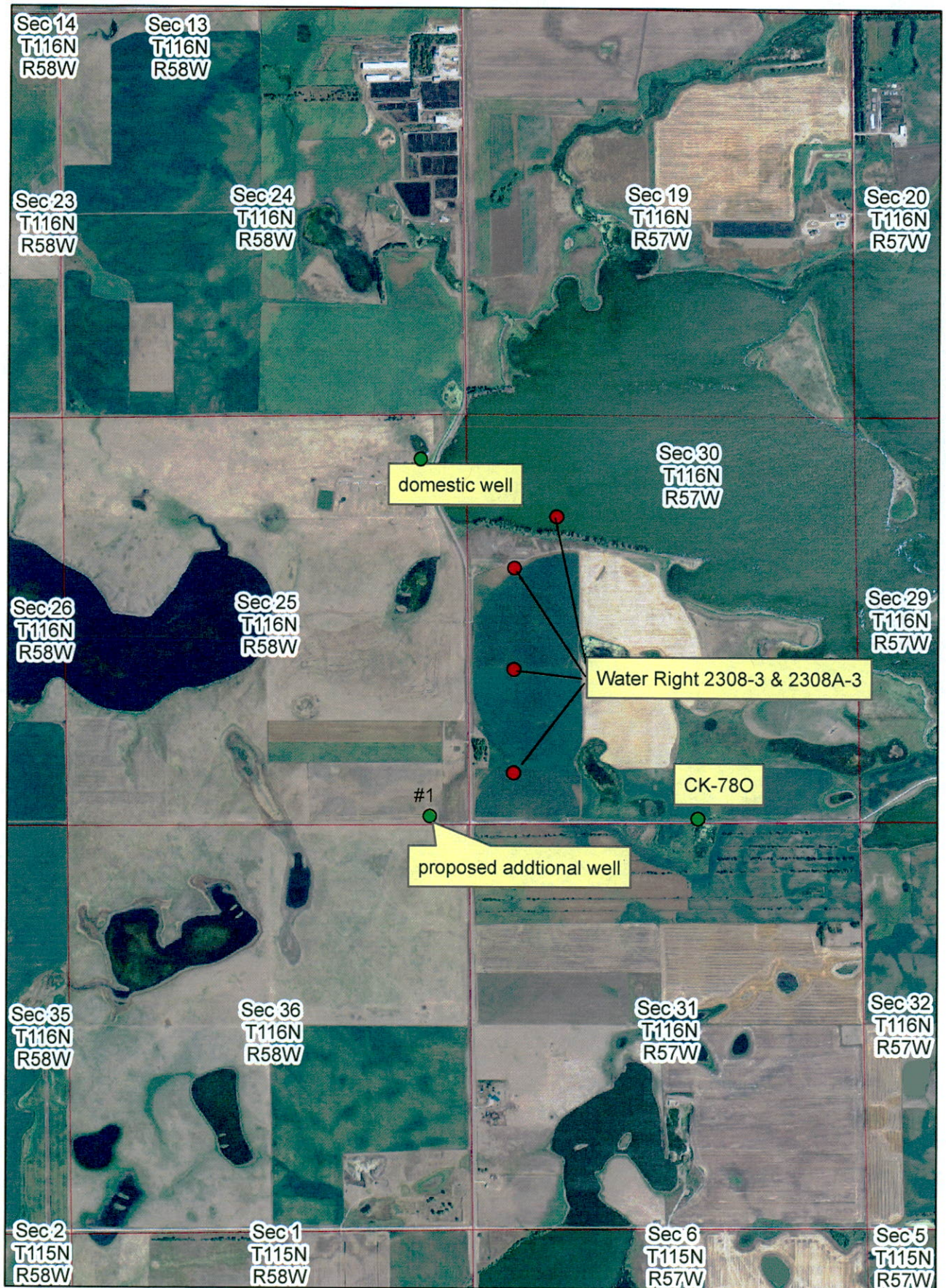

Eric Gronlund
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This additional diversion point does not increase the potential for adverse effects to existing diversions.


Jeanne Goodman, Chief Engineer
Water Rights Program

Clark RWS Request for Additional Well



proposed well #7



h St

46

© 2016 Google

Go

Clark Rural Water Systems. Inc.

Po Box 162, 1001 1st ave. W.

Clark SD 57225

Email crws@itctel.com

Phone 605-881-4364

Eric Gronlund,

The Clark Rural Water System, Inc. is requesting permission to redrill old well #5 in 116-58-25-SE this well was taken out of service in 2013 and plugged due to hardness of the water. Since then, the water hardness of our other wells has slowly increased and is now close to what old well #5 was at in 2013. Also, we were pumping old well #5 at 500 gpm and after 15 years of pumping it was not recovering. We left the monitoring well in at the well site and it has since come back to it full level. I took a sample of the water, and it is much softer and less sulfates than when we stopped pumping it in 2013. I would like to pump the new well at 200 gpm and I believe it will be able to maintain its level. I am not asking to pull more water this well will just give us another well to put in the rotation if another well would need maintenance.

CRWS Permit No. 5974-3 and 5974-A3 = 838,040,040 Gallons per year.

In 2021 we pumped 327,534,000 Gallons.

CRWS well #8 would be drilled in -SE ¼ section of 25, T116, R 58.

Lat. 44.8212321 N

Long. 97.7418522 W

Depth 60 Ft. 200 GPM

Thank you for your attention in this matter.

Terry Kaufman

Gronlund, Eric

From: clark operator <clarkop1001@hotmail.com>
Sent: Thursday, February 17, 2022 4:28 PM
To: Gronlund, Eric
Subject: RE: [EXT]

I believe that you have it all right and well # 7 in section 12 pumps less than 200gpm. It's probably more like 100gpm but going to rejuvenate it this summer hopefully get some capacity back hopefully closer to the 200 gpm.

From: Gronlund, Eric <Eric.Gronlund@state.sd.us>
Sent: Thursday, February 17, 2022 4:09 PM
To: clark operator <clarkop1001@hotmail.com>
Subject: RE:

Terry:

I began looking over Clark RWS's request and just want to make sure I understand. Attached is a summary quickly put together to reflect Clark RWS's current water rights. This request seems to involve the well field authorized by Water Right Nos. 5974-3 and 5974A-3. Combined those two water rights authorize a peak pump rate of 1,876 gpm and a volume of 838,040,000 gallons per year (reflected in your letter). The annual volume under 5974A-3 provides for continuous pumping at the peak pump rate of 1,176 gpm and doesn't appear to have been limited to a lesser volume like the system's other water rights.

In 2014, Clark RWS was granted authorization to move the well under 5974-3 (well No. 5 I believe) and a well under 5974A-3 (likely well No. 1) from the SE1/4 Section 25 to the E ½ NE ¼ Section 12, T115N, R58W. I believe the well drilled in the NE ¼ Section 12 is now referred to as well No. 7 – correct me if I am wrong.

Now, Clark RWS is requesting to add a well back in the SE ¼ Section 25. Is that the well referred to in your cover letter at Well #8?

It appears you want this new well to be an additional diversion point to WR No. 5974-3. Is that correct?

Your letter indicates no increase in the volume requested under the existing water right but is silent on the pump rate. WR No. 5974-3 authorized a pump rate of 700 gpm. Is it fair to state that will the additional well the diversion rate from the well authorized by No. 5974-3 will not exceed 700 gpm?

Eric



Eric Gronlund, PE
Chief Engineer, Water Rights Program
Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.3352
danr.sd.gov

From: clark operator <clarkop1001@hotmail.com>
Sent: Tuesday, February 15, 2022 10:49 AM
To: Gronlund, Eric <Eric.Gronlund@state.sd.us>
Subject: [EXT]

Please let me know if you need any other info.

Terry Kaufman
Clark Rural Water Systems
Po Box 162
Clark SD 57225
605-532-5201

Well # 8

Leger

8 ne

new well #8

116-58-25-SE

Well #7

177th St

177th St

46

Earth

500 ft



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 22, 2022

Terry Kaufman
Clark Rural Water System
PO Box 162
Clark SD 57225-0162

Dear Mr. Kaufman

Clark Rural Water System has filed a request for an additional point of diversion authorized by Water Right No. 5974-3. The additional well is to be located in the in the SE 1/4 Section 25-T116N-58W.

Water Right No. 5974-3 appropriates 675 acre-feet of water annually at a peak diversion rate of 1.56 cubic feet of water per second (cfs) from one well completed into the Antelope Lake management unit of the Vermillion East Fork aquifer.

Upon review of the request and pursuant to SDCL 46-5-13.1, the additional diversion point location is authorized as set forth above without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. No increase in the authorized diversion rate or volume of water from the Antelope Lake management unit of the Vermillion East Fork aquifer is authorized.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program

Approval of Additional Diversion Point

NAME: Clark Rural Water System, c/o Terry Kaufman

ADDRESS: PO Box 162, Clark SD 57225-0162

DATE: February 18, 2022

COUNTY: Clark

TELEPHONE:

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be authorized provided the following conditions are met and the potential for interference with other existing diversions is not increased:

Water Right No. 5974-3 appropriates 675 acre-feet of water annually at a peak diversion rate 1.56 cubic feet of water per second (cfs) from one well completed into the Antelope Lake management unit of the Vermillion East Fork aquifer. The well was originally located in the SW 1/4 SE 1/4 Section 25-T116N-R58W. In 2014, authorization was granted under SDCL 46-5-13.1 to change the location of the well to the E 1/2 NE 1/4 Section 12-T115N-R58W. This change was authorized in conjunction with another change in one of the wells authorized by Water Right No. 5974A-3 to this same quarter-quarter in Section 12. The change in the location of the two diversion points in 2014, was due water quality issues involving hardness

Clark Rural Water System has requested an additional well under Water Right No. 5974-3 returning to the location in the SE 1/4 Section 25-T116N-R58W. The request states that wells authorized in 2014 change of diversion point have increased nearing levels of hardness occurring in the original wells. In addition, monitor of water quality in the SE 1/4 Section 25-T116N-R58W has found the water level recovery in that area and much softer water that when pumped ceased in 2013. No increase in the volume of water or peak pump rate is requested to what is currently authorized by Water Right No. 5974-3.

- **Developed water source same as permitted source and no additional water appropriated**

The water source remains the Antelope Lake management unit of the Vermillion East Fork aquifer. The peak diversion rate authorized by Water Right No. 5974-3 is 1.56 cfs. The request indicates production from the well located in the E 1/2 NE 1/4 Section 12-T115N-R58W and SE 1/4 Section 25-T116N-R58W will not exceed the 1.56 cfs.

- **If irrigation, no new land is irrigated**

The water use is for rural water system use. Therefore, this section is not applicable

- **Review of Existing Diversions**

The nearest permitted well is located approximately 1/4 mile to the east of the proposed additional well. The aquifer is predominantly unconfined in this area. There is an observation well (CK-78O) completed into this aquifer within on half of mile. The water level record indicates the aquifer correlates with climatic conditions, that is, rising water levels during wet years and declining water levels during dry years. Drawdown created by pumping may overlap with existing diversion but it is not expected to be adverse.

RECOMMENDED ACTION

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

The additional diversion point does not increase the potential for adverse effects to existing diversions.



Eric Gronlund, Chief Engineer
Water Rights Program

CLARK RWS

5606-3 5974-3
5974A-3 6280-3
8360-3

4384-3: VEF:AL 2.0 cfs 2 new wells
#1 SE ¼ SE ¼ Sec 25-T116N-R58W
#2 NE ¼ NE ¼ Sec 12-T115N-R58W
#4 W ½ SW ¼ Sec 7-T115N-R57W

- Originally requested 2.4 cfs from 4 wells. Well sites # 2 (SW ¼ NE ¼ Sec 31-T116N-R57W) & #3 (W ½ SW ¼ Sec 7-T115N-R57W) removed and reduced to 2.0 cfs per 1980 letter.
- Incorporated into 5974A-3.**

4348-3A: VEF:AL n/a CFS 1 new well
#3 NE ¼ NE ¼ Sec 12-T115N-R58W

- Adding additional diversion point, no increase to diversion rate.
- Incorporated into 5974A-3.**

4927-3: VEF:AL **FUTURE USE 221 ac-ft remaining**
Area: W ½ Sec 31-T116N-R57W
E ½ Sec 36-T116N-R58W

5606-3: VEF:AL 0.49 cfs (213 ac-ft) 1 new well
#5 SE ¼ NE ¼ Sec 36-T116N-R58W

- Placement of water to beneficial use from **FU No. 4927-3**

mapped as #4

5974-3: VEF:AL 1.56 cfs (675 ac-ft) 1 new well
#6 E ½ NE ¼ Sec 12-T115N-R58W

- Well moved from original location in SW ¼ SE ¼ Sec 25-T116N-R58W

mapped as #5

5974A-3: VEF:AL 2.62 cfs 3 existing wells + 1 new well
#1 E ½ NE ¼ Sec 12-T115N-R58W
#3 (2) NE ¼ NE ¼ Sec 12-T115N-R58W
#4 (3) SW ¼ SW ¼ Sec 7-T115N-R57W
#7 SE ¼ SE ¼ Sec 25-T116N-R58W

mapped as #s
1, 2, 3, 7

- Well #1 moved from original location in SE ¼ SE ¼ Sec 25-T116N-R58W
- Permit says Wells 1, 3, and 4 are capable of 2.62 cfs but permitting under 4384-3 & 5974A-3 only has 2.22 cfs
- Well #4 developed in SW ¼ SW ¼
- Incorporated 4384-3 & 4348-3A
- License re-named wells #2 is actually #3 & #3 is actually #4.
- Well #7 was requested to be added to the same location Well #1 was previously at.

6280-3: VEF:AL 0.51 cfs (243 ac-ft) 1 new well
#8 NE ¼ SE ¼ Sec 1-T115N-R58W

mapped as #6

8360-3: VEF:AL Authorized connection of Wells #1-8 to other users.

8/28/25





116-58-25-SE

PERMIT # 5974-3
Future Well # 8
PERMIT # 5974A-3 Well #7

116-58-36-NE

PERMIT # 5974A-3 well # 4

WALTER LEWIS

MARK LEWIS

115-58-1-SE

well #6

31.59

31.36

PERMIT # 5974A-3 Well #2

22.62

CLARK TREATMENT PLANT

well #1

well #5

PERMIT # 5974-3

PERMIT # 5974A-3

16

13.46

115-58-12-NE

115-57-7-SW

PERMIT # 5974A-3

well #3

Stairs Slough State Public Shooting Area

Lamb Water Pro Ar



116-58-25-SE

Future Well # 8

Well #7

well # 4

115-58-36

115-58-1

well #6

CLARK TREATMENT PLANT

Well #2

well #1

well #5

115-58-12

Stairs Slough State P

well#3

Dewell, Amanda

From: Mathiowetz, Adam (DENR)
Sent: Wednesday, September 3, 2025 10:58 AM
To: Dewell, Amanda
Subject: FW: [EXT] Clark RWS current permitting and capacity
Attachments: Screenshot 2025-08-28 164854.png

Can you please add this along with this email chain to the Clark RWS permit files? If you think we need a file doc, let me know and I will try to get one done this week.

Thank you.



Adam Mathiowetz, PE
Engineer, Water Rights Program
Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.3352
danr.sd.gov

From: crws@itctel.com <crws@itctel.com>
Sent: Thursday, August 28, 2025 4:54 PM
To: Mathiowetz, Adam (DENR) <Adam.Mathiowetz@state.sd.us>
Subject: Re: [EXT] Clark RWS current permitting and capacity

Here is a little cleaner map.

Terry Kaufman
Clark Rural Water System
605-532-5201
605-881-4364
Crws@itctel.com

From: Mathiowetz, Adam (DENR) <Adam.Mathiowetz@state.sd.us>
Sent: Thursday, August 28, 2025 3:19 PM
To: crws@itctel.com <crws@itctel.com>
Cc: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: RE: Clark RWS current permitting and capacity

Terry,

Below is the table of your wells as numbered on the map you provided and what permit the well is associated with based on our review of your various permit files included all of the change of diversion point and additional diversion point requests.

We do need some more information to determine if your wells as currently organized/operated are in compliance with your permits and if future well #8 is within your current permitting parameters or if it needs water that is currently reserved by your future use permit.

I have CC'ed our permitting administrator Amanda Dewell. I may ask for assistance or a slightly cleaner map that we may add to your permit file to document the current status of your system for ease of any potential permitting questions in the future.

Permit No.	CFS	Ac-ft/yr	CRWS Map Well #'s
5606-3	0.49	213	4
5974-3	1.56	675	5
5974A-3	2.62	n/a	1, 2, 3, 7
6280-3	0.51	243	6
????			8



Adam Mathiowetz, PE
Engineer, Water Rights Program
Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.3352
danr.sd.gov

From: crws@itctel.com <crws@itctel.com>
Sent: Friday, August 22, 2025 11:48 AM
To: Mathiowetz, Adam (DENR) <Adam.Mathiowetz@state.sd.us>
Subject: Re: [EXT] Clark RWS current permitting and capacity

Here are 2 different file types just incase I didn't send them to you.

Terry Kaufman
Clark Rural Water System
605-532-5201
605-881-4364
Crws@itctel.com

From: Mathiowetz, Adam (DENR) <Adam.Mathiowetz@state.sd.us>
Sent: Wednesday, July 16, 2025 2:30 PM
To: crws@itctel.com <crws@itctel.com>
Cc: Dewell, Amanda <Amanda.Dewell@state.sd.us>; Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>; Duvall, Ron <Ron.Duvall@state.sd.us>
Subject: Clark RWS current permitting and capacity

Terry,

Please send us a map of your current well locations and what permits you believe are associated with each well. We will then figure out if that is correct, diversion rates and annual volumes permitted. That way we can make sure

database is accurate or help you through any potential permitting the rural water system may need to consider a possible new customer.



Adam Mathiowetz, PE

Engineer, Water Rights Program

Department of Agriculture and Natural Resources

523 E. Capitol Ave. Pierre SD, 57501

605.773.3352

danr.sd.gov