

WATER PERMIT NO. 6074-3

Name of Applicant: Dakota Dunes Community Improvement District

Address: 370 West Anchor Drive, Suite 300, Dakota Dunes, SD 57049 Phone: 232-5990

Amount of Water Claimed: 3.34 cfs (1500 gpm)

Total Acres: not applicable

Source of Water Supply: 3 wells

Water to be used for: municipal

County: Union

Type of Waste Disposal System: gravity sewer (Dakota Dunes)

Location: at Dakota Dunes

PRIORITY

Date Received: may 4, 1998

Fee: \$675

Corrected Application Received: XX

Period of Annual Use: Jan. 1 – Dec. 31

Remarks: called Greg Meyer (consultant) about getting a signed map

Diversion Point:

N1/2 NE1/4 Section 35, T89N, R48W

Land to be Irrigated: not applicable

Depth of Well: 300 feet

Well Driller: Wetmore Drilling

Remarks:

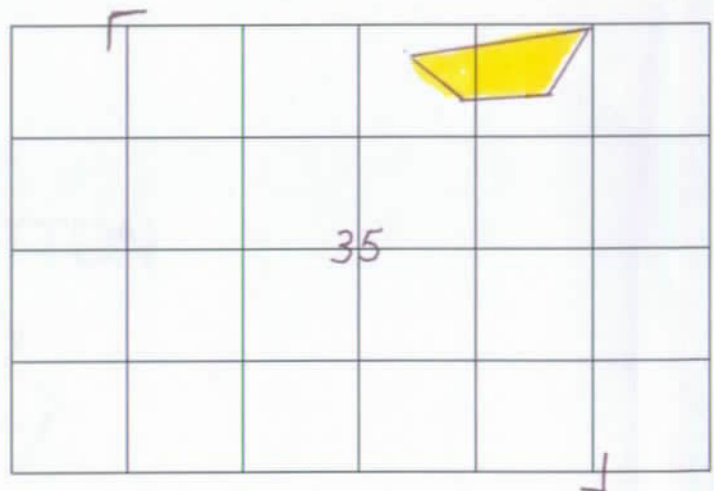
Type of Map: USGS quadrangle

Prepared by: Randy G. Fehl

Reviewed and the Number Assigned on: May 11, 1998

By: Eric Gronlund

Notice of Hearing - date to intervene: \_\_\_\_\_



**SOUTH DAKOTA**  
**WATER PERMIT NO. 6074-3**

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Date of first receipt of application May 4, 1998.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6074-3 to Dakota Dunes Community Improvement District, 370 West Anchor Drive, Suite 300, Dakota Dunes SD 57049 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. 6074-3 appropriates 3.34 cubic feet of water per second (2,419 acre feet annually) from three wells (Dakota Formation) approximately 300 feet deep located in the N ½ NE ¼ Section 35-T89N-R48W.
2. The water appropriated shall be used for the purpose of supplying water for municipal use and may not exceed the amount of water needed for beneficial use for municipal use purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 6074-3 is June 29, 1998.
5. The date from which applicant may claim right is May 4, 1998.
6. One-fifth of the construction is to be completed on or before December 29, 2000.
7. All construction is to be completed on or before June 29, 2003.
8. Water is to be put to beneficial use on or before June 29, 2007.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

**QUALIFICATIONS**

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 6074-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. The Dakota Dunes Community Improvement District shall report to the Chief Engineer annually the amount of water withdrawn each year from the Dakota Formation.

**WATER MANAGEMENT BOARD**

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

**SEP 3 1998**

date



|                                                                                                                    |                                                |                                                      |
|--------------------------------------------------------------------------------------------------------------------|------------------------------------------------|------------------------------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. <u>6074-3</u>                              | (office use only)<br>Hydrologic Unit <u>10170101</u> |
|                                                                                                                    | Basin <u>Missouri</u>                          |                                                      |
|                                                                                                                    | Newspaper <u>Leader-Courier, Elk Point, SD</u> |                                                      |



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

### Check use(s) of water:

|                                                 |                                           |                                          |                                          |
|-------------------------------------------------|-------------------------------------------|------------------------------------------|------------------------------------------|
| <input checked="" type="checkbox"/> Municipal   | <input type="checkbox"/> Suburban Housing | <input type="checkbox"/> Recreational    | <input type="checkbox"/> Institutional   |
| <input type="checkbox"/> Rural Water System     | <input type="checkbox"/> Commercial       | <input type="checkbox"/> Fish & Wildlife | <input type="checkbox"/> Geothermal Heat |
| <input type="checkbox"/> Domestic (over 18 gpm) | <input type="checkbox"/> Industrial       | <input type="checkbox"/> 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.) new municipal wells

- Name of Applicant Dakota Dunes Community Improvement District Phone 605/232-5990  
 (check one) ☒ Owner ☐ Tenant/lessee  
 Mailing Address 370 West Anchor Drive, Suite 300 Dakota Dunes State South Dakota 57049  
 (Street, RR. or Box) (Zip Code)
- Amount of water claimed 3.34 \*CFS or 1500 \*\*GPM 2.419 \*\*\*AF  
 (\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Dakota Formation
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 3 wells in N 1/2 of the  
NE 1/4, S 35, T89N, R48W  
 County Union
- County or counties where water will be used Union
- Annual period during which water is to be used 12 months per year January 1 - 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)

STATE OF SOUTH DAKOTA)  
 County of Union ) 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, Glenn Ivarsen, 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 Glenn Ivarsen

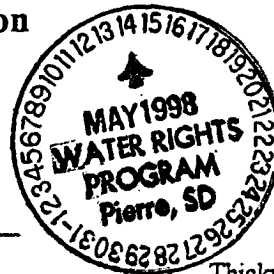
Subscribed and sworn to before me this 11th day of May 19 98

Connie J. Miller  
 Notary Public



## Supplemental Information

(type or print in ink)



## 1. Well Information - Proposed Construction

- a) Drill Hole Diameter 20 inch Depth 300 feet
- b) Casing Type steel Diameter 12 inch Thickness 0.375
- c) Screen Type stainless steel Diameter 12 inch Thickness 0.375
- d) Gravel Pack luther maddax A Length of Gravel Pack 60 feet
- e) Depth to Top of Water Bearing Material 240 feet
- f) Depth to Water (ground surface to water level) 15 feet
- g) Distance to nearest existing domestic well:

On applicants property 1200 feet On property owned by others n/a

## 2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) gravity sewer
- b) System Capacity (gallons) n/a Year Constructed 1991
- c) Connected to the City of Dakota Dunes Sanitary System

## 3. Dugout Information

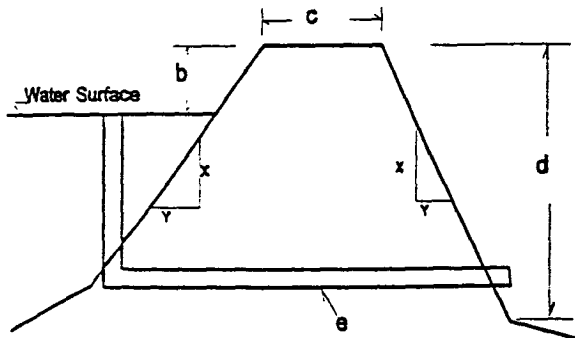
- a) Surface Dimensions n/a Depth n/a
- b) Depth to water (ground surface to water level) n/a

## 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:

n/a



- b) Freeboard n/a
- c) Crest Width n/a  
Crest Length n/a
- d) Height n/a
- e) Primary Outlet Capacity n/a  
If pipe, diameter n/a
- f) Secondary Spillway Capacity n/a  
Spillway Width n/a
- g) X & Y Slope n/a  
Upstream n/a  
Downstream n/a
- h) Surface Area of Impoundment n/a
- i) Storage n/a Acre Feet
- j) Drainage Area Above Dam n/a Acres

# RECEIPT

## Water Rights Program

South Dakota Department of Environment and Natural Resources

415756

Pierre, May 4, 19 98

RECEIVED OF Dakota Dunes Community Improvement Dist., P.O. Box 1997, Dakota Dunes, SD 57049  
the following amount in fees for services rendered as provided for by law:

|                                                                                                                                 |       |        |
|---------------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>6674-3</u> to Appropriate Water, to construct<br>and to put water to beneficial use _____ | 675   | 00     |
| Fee for Application for Permit No. _____ to Appropriate Water, for Future<br>Use _____                                          |       |        |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                                          |       |        |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water<br>License No. _____                          |       |        |
| Fee for Filing Transfer Form _____                                                                                              |       |        |
| Fee for Filing Extension Request _____                                                                                          |       |        |
| Fee for _____                                                                                                                   |       |        |
| _____                                                                                                                           |       |        |
| _____                                                                                                                           |       |        |
| (Any Other Work Provided by Law)                                                                                                | Total | 675 00 |

By \_\_\_\_\_  
Chief Engineer

*John Hatch*

April 29, 1998

Water Rights Program  
Joe Foss Building  
523 E. Capitol  
Pierre, SD 57501-3181



RE: Dakota Dunes Well Improvements

Gentlemen:

Enclosed is application on behalf of Dakota Dunes Community Improvement District for appropriation of 1,500 gpm from the Dakota Formation for domestic water consumption.

Please find enclosed:

- 1) Two copies of Forms 2 and 2A
- 2) Two copies of a USGS quadrangle map with the indicated area of well field development.
- 3) Two copies of a test well log signed by a South Dakota licensed Well Driller
- 4) Dakota Dunes Community Improvement District check in the amount of \$ 675.00

If you require any additional information, please feel free to contact this office.

Sincerely yours,

Gregory C. Meyer, PE  
GM/cjm

Encl.

Dunes11;fuehrer1

Water Rights Program - DENR  
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 6074-3, Dakota Dunes

ADDRESS: COUNTY: Union

DATE: 5/11/98 TELEPHONE: 712 258-4202 (consultant)

RE: Discussion with Greg Meyer (engineering consultant)

COMMENTS:

I told Mr. Meyer that the application needed to be signed and notarized. He indicated they will submit a signed application.

I also asked Mr. Meyer what the volume of water on an acre foot basis would be. I explained that it is probably not realistic to believe the diversion would be continuous over the entire year. I then explained our common 60% rule and then asked whether they performed any annual use projections. Mr. Meyer indicated that it would probably be best to use a volume equating to continuous use (1,500 gpm = 2,419 acre feet/annually). I told him that if during the report writing process this becomes an issue we would call and discuss it with him further.

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

NAME: Eric Henderson

May 12, 1998

Eric Gronland  
Water Rights Program  
Joe Foss Building  
523 E. Capitol  
Pierre, SD 57501-3181



RE: Dakota Dunes Well Improvements

Dear Mr. Gronland:

Enclosed is a signed copy of Form 2 and Form 2A "Application for Water Rights". The enclosed signed Application for Water Rights is intended to replace the unsigned Applications which were submitted to your office by the Dakota Dunes Community Improvement District.

If you require any additional information on this matter, please feel free to contact this office.

Sincerely yours,

Gregory C. Meyer, PE  
GM/cjm

Encl.

cc: Dave Fuehrer-CID

Dunes11;gronland

# WETMORE DRILLING

Mike Wetmore  
Geologist



Office: 1-800-399-7713  
(605) 356-3757  
P. O. Box 880  
Elk Point, SD 57025

Cellular: (712) 251-7599

Shop: (605) 356-2248  
I-29 Exit 15  
Elk Point, SD 57025

## DRILLER'S LOG & TEST HOLE REPORT

Name: Dakota Dunes #98-1

Date: 2-5-98

Qtr/Qtr: \_\_\_\_\_ Section: 33 Twnshp: 89 Rng: 48

| DEPTH          | LITHOLOGY                                 |
|----------------|-------------------------------------------|
| <u>0-2</u>     | <u>Top Soil</u>                           |
| <u>2-62</u>    | <u>Fine uncon sand - wellbore</u>         |
|                | <u>Washouts</u>                           |
| <u>62-71</u>   | <u>Gravel - lost circ</u>                 |
| <u>71-73</u>   | <u>Coal - plugged pump</u>                |
| <u>73-94</u>   | <u>Gravel - lost circ</u>                 |
| <u>94-97</u>   | <u>boulder layer</u>                      |
| <u>97-115</u>  | <u>Gravel - lost circ</u>                 |
| <u>115-119</u> | <u>boulder layer</u>                      |
| <u>119-138</u> | <u>Gravel - lost circ</u>                 |
| <u>138-182</u> | <u>Siltstone and shale - bit sticking</u> |
| <u>182-300</u> | <u>Sandstone</u>                          |

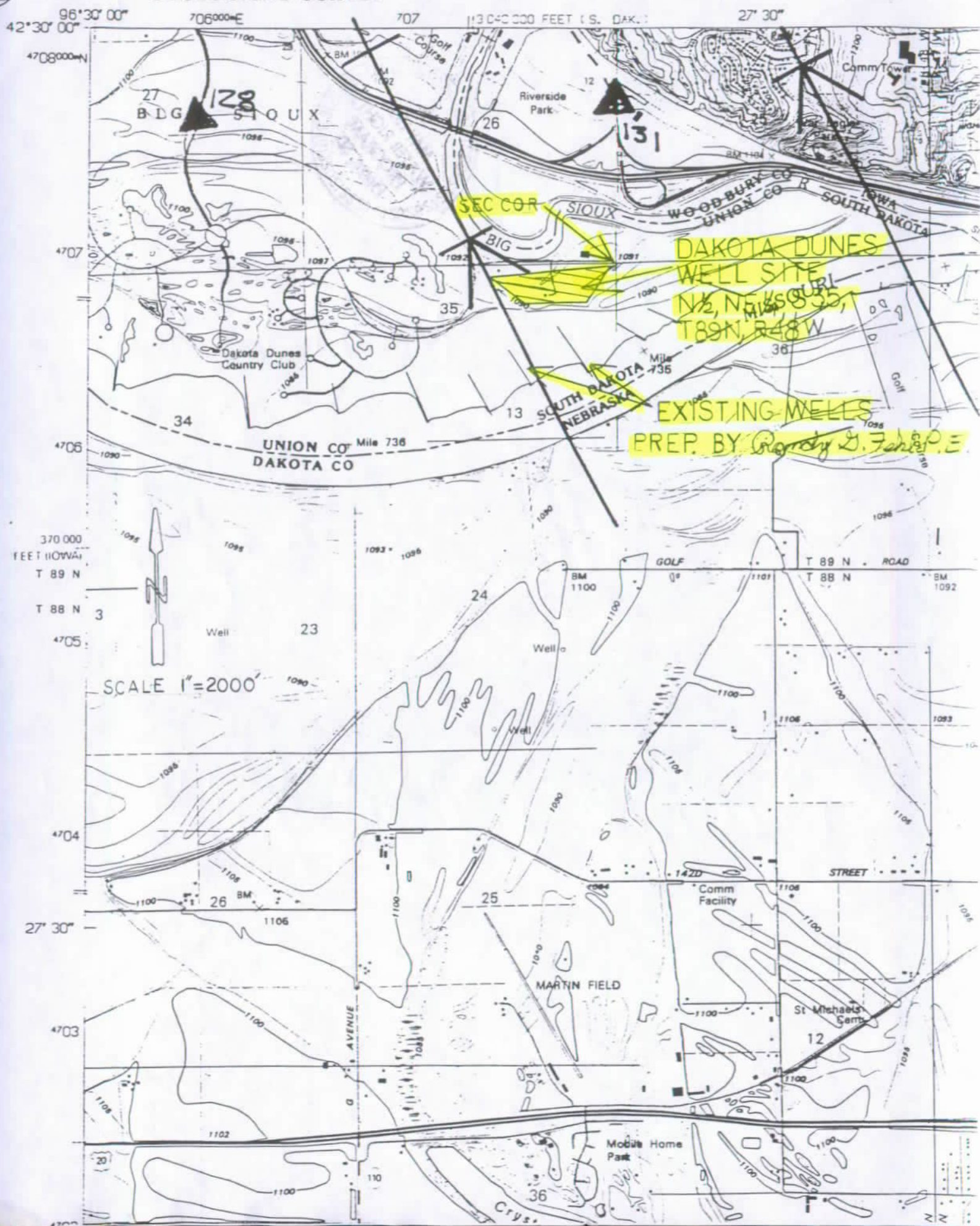


Reported by: \_\_\_\_\_

Mike Wetmore - owner/geologist

Wetmore Drilling

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY



## SOUTH DAKOTA WATER WELL COMPLETION REPORT

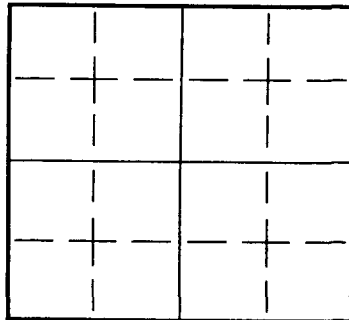
07-92

Location        1/4        1/4 Sec 35 Twp 89N Rg 48W  
 County UNION North

Please mark well location with an "X"

W

E

Well Completion Date                     

1 Mile

## LOCATION:

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

## PROPOSED USE:

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

## METHOD OF DRILLING:

CASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe                     

| PIPEWEIGHT  | DIAMETER | FROM | TO     | HOLE DIAMETER |
|-------------|----------|------|--------|---------------|
| 118.6 LB/FT | 30 IN    | 6 FT | 170 FT | 36 IN         |
| LB/FT       | 18 IN    | 6 FT | FT     | 28 IN         |
| LB/FT       | IN       | FT   | FT     | IN            |

## GROUTING DATA

| Grout Type  | No. of Sacks | Grout Weight | From | To     |
|-------------|--------------|--------------|------|--------|
| NEAT CEMENT | 468          | lb./gal      | 6 ft | 165 ft |
| NEAT CEMENT | 404          | lb./gal      | 6 ft | 165 ft |

Describe grouting procedure PRESSURE GROUTED

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 18" IN Length 90' FEETMaterial STAINLESS STEELSlot Size .020 Set From 217 Feet to 307 FeetOther information                     

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material?                     Describe packer(s) and location?                     

DISINFECTION: Was well disinfected upon completion?

X YES, How:                            NO, Why Not?                     Laboratory sent to for water quality analysis                     WITH 200 PPM SODIUM HYPOCHLORITEBY ENGINEERWell Owner: DAKOTA DUNES (SOUTH WELL.)Business Name:                     Address:                     

## WELL LOG:

| FORMATION                    | DEPTH |     |
|------------------------------|-------|-----|
|                              | FROM  | TO  |
| CLAY                         | 0     | 9   |
| FINE SAND                    | 9     | 32  |
| GRAY CLAY                    | 32    | 37  |
| BROWN CLAY                   | 37    | 46  |
| FINE SAND W/CLAY LAYERS      | 46    | 83  |
| FINE SAND & GRAVEL           | 83    | 144 |
| GRAY CLAY                    | 144   | 166 |
| SANDSTONE W/CLAY LAYERS      | 166   | 200 |
| SHALE W/STREAKS OF SANDSTONE | 200   | 217 |

STATIC WATER LEVEL 17 FeetIf flowing: closed in pressure                      PSIGPM flow            through                      inch pipeControlled by ☐ Valve ☐ Reducers ☐ Other                     Reduced Flowrate                      GPMCan well be completely shut in?                     

## WELL TEST DATA:

☒ Pumped Describe: WITH TURBINE PUMP☐ Bailed☐ Other

Pumping Level Below Land Surface

74.05 ft. After 17 Hrs. pumped 1507 GPM87.4 ft. After 8 Hrs. pumped 1929 GPMIf pump installed, pump rate                      GPM

## REMARKS

This well was drilled under license # 513

And this report is true and accurate.

Drilling firm LAYNE-WESTERN

Signature of License Representative:

Brad Harris

BRAD HARRIS

Signature of Well Owner or Equitable Property Holder:

Date: 1/18/00

DAKOTA DUNES (SOUTH WELL)

WELL LOG FORMATION CONTINUED:

|                       | <u>FROM</u> |   | <u>TO</u> |
|-----------------------|-------------|---|-----------|
| FINE SANDSTONE        | 217         | - | 225       |
| FINE MEDIUM SANDSTONE | 225         | - | 256       |
| SHALE                 | 256         | - | 258       |
| SANDSTONE             | 258         | - | 307       |
| SHALE                 | 307         | - | 320       |



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

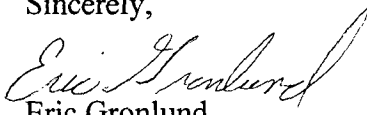
June 9, 1998

Gregory Meyer, P.E.  
Buell Winter Mousel & Assoc.  
705 Douglas St., Suite 636  
Sioux City, IA 51101

Dear Mr. Meyer:

Please find enclosed a copy of the report on Dakota Dunes' Water Permit Application No. 6074-3 which has been amended to delete Conclusion No. 4. I believe this amendment reflects our telephone conversation.

Sincerely,

  
Eric Gronlund  
Water Rights Program  
(605) 773-3352

enclosure

Water Rights Program - DENR  
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 6074-3, Dakota Dunes

ADDRESS: COUNTY:

DATE: TELEPHONE:

RE: Call from Greg Meyers, engineering consultant

COMMENTS:

Mr. Meyer called regarding Conclusion No. 4 in Jim Goodman's report on Water Permit Application No. 6074-3 for Dakota Dunes Community Improvement District. Mr. Meyer stated that this current application is not meant to replace Water Right No. 5437-3 as Dakota Dunes' water source but instead the application is intended to supplement the existing system to meet the demands of this growing system.

I told Mr. Meyer we would revise the report accordingly.

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

NAME: Eric Hunkeler

**REPORT ON WATER PERMIT APPLICATION NO. 6074-3**  
**for Dakota Dunes Community Improvement District**  
**May 26, 1998**

Application No. 6074-3 proposes to appropriate 3.34 cfs (1500 gpm) from three wells approximately 300 feet deep located in the N1/2 NE 1/4 of Section 35, T89N-R48W in Union County. The water is for municipal use. This application also requests 2,419 acre feet of annual use.

**AQUIFER - DAKOTA FORMATION (DKOT)**

The Dakota Formation is a buried sand, sandstone and shale which is under confined or artesian conditions in this area. The aquifer underlies 935 square miles and contains an estimated 19.4 million acre feet of water in storage in Lincoln and Union Counties (Niehus, 1994). The aquifer extends into Turner and Clay Counties to the west, Nebraska to the south and Iowa to the east. Ground water movement is basically southerly across Union County. In southern Union County the Dakota is apparently hydraulically connected to the overlying Missouri Elk Point aquifer (Missouri aquifer of Niehus) and also potentially to the Missouri and Big Sioux River through that aquifer. Test well logs filed with the application indicate fine sand and gravel from 2 feet to 138 feet followed by siltstone and shale from 138 to 182 feet and sandstone from 182 to 300 feet all below land surface. The sandstone would be the Dakota Formation and the sand and gravel would be the Missouri Elk Point aquifer. At this site there is a 44 feet thick shale layer between the two aquifers, however, this separation between aquifers is not persistent over southern Union County.

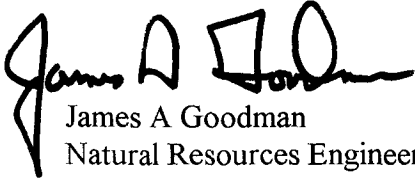
The Water Rights Program does not monitor any observation wells completed into the Dakota Formation in this area. The nearest observation well UN-98A (which is located about four miles northwest of this application) was just installed this year and very limited information on water levels is available. The nearest Dakota Formation observation well (UN-77E) is located about 30 miles northwest of this application (Water Rights, 1998). A hydrograph for this well is included with this report. Basically, the hydrograph for this well looks very similar to the hydrographs for the overlying Missouri Elk Point aquifer which is monitored in the area of this application. Assuming the Dakota Formation is behaving similarly in this area as at UN-77E, the aquifer is capable of sustaining additional withdrawals.

**REVIEW OF EXISTING WATER PERMITS/RIGHTS**

The nearest existing water permit (5994-3) from the Dakota Formation is about one and one-half mile west of this application. Interference is not a concern. Drawdown will be created by pumping but this should not be significant at the distance between wells. It will be more likely that the close proximity of the proposed wells will potentially cause overlapping drawdown. Based upon pumping of the new city wells for North Sioux City, even this should not be a serious problem.

## CONCLUSIONS

1. Water is available from the Dakota Formation.
2. The aquifer is confined and under artesian conditions at this site. Drawdown is not expected to be significant and interference with existing water permits/rights is not a concern. There is a possible effect of overlapping drawdown among the three proposed wells because of their close proximity but even this is not expected to be a problem.
3. The wells authorized by this application must be constructed in accordance with SD Well Construction Standards.



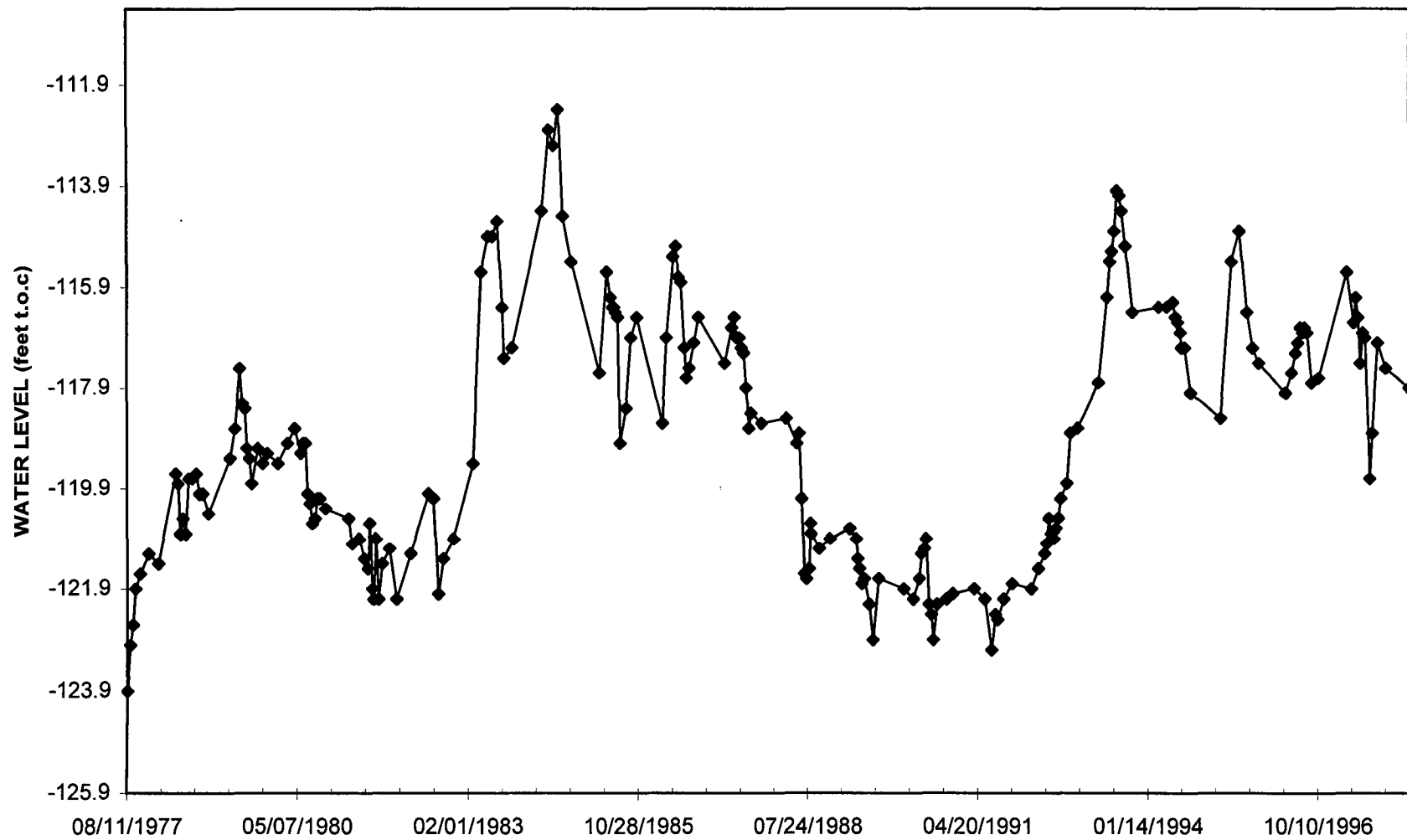
James A Goodman  
Natural Resources Engineer

## BIBLIOGRAPHY

Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota, Water Resources Investigations Report 93-4195, USGS, Rapid City, SD, 57702.

Water Rights, 1998, Unpublished Observation Well Data for Union County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL  
UN-77E**



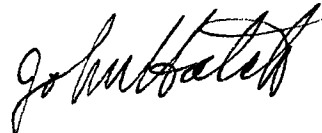
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT**  
**APPLICATION NO. 6074-3, Dakota Dunes Community Improvement District**

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. 6074-3, Dakota Dunes Community Improvement District, c/o Glen Ivarsen, 370 West Anchor Drive, Suite 300, Dakota Dunes, SD 57049.

The Chief Engineer is recommending APPROVAL of Application No. 6074-3 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) it is in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 6074-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. The Dakota Dunes Improvement District shall report to the Chief Engineer annually the amount of water withdrawn each year from the Dakota Formation.

See report on application for additional information.



JOHN HATCH, Chief Engineer  
June 2, 1998



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

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

June 4, 1998

Dakota Dunes Community Improvement District  
%Glen Ivarsen  
370 West Anchor Drive, Suite 300  
Dakota Dunes, SD 57049

Dear Mr. Ivarsen:

Water Permit Application No. 6074-3 for municipal use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Leader-Courier printed at Elk Point, SD (Ph # (605) 356-2632). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund  
Natural Resources Engineer  
(605) 773-3352

enclosures

c: Gregory Meyer, P.E., Buell Winter Mousel & Assoc., 705 Douglas St., Suite 636, Sioux City, IA 51101.

**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  
www.state.sd.us/denr

June 4, 1998

Leader-Courier  
Box 310  
Elk Point, SD 57025-0310

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6074-3 to Appropriate Water to be published twice. Please publish the first notice on June 11, 1998, 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 Dakota Dunes Community Improvement District, %Glen Ivarsen, 370 West Anchor Drive, Suit 300, Dakota Dunes, SD 57049 (Ph # (605) 232-5990).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, please send us an affidavit or use the enclosed Proof of Publication form. The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures

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

No. 6074-3

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

Date \_\_\_\_\_

We are in receipt of your letter of June 4, 1998, enclosing Notice of Hearing to Appropriate Water by Application No. 6074-3 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 June 11, 1998, with the second publication 7 days later. The applicant is responsible for payment.

---

### NOTICE OF APPLICATION NO. 6074-3 to Appropriate Water

Notice is given that Dakota Dunes Community Improvement District, c/o Glen Ivarsen, 370 West Anchor Drive, Suite 300, Dakota Dunes, SD 57049 has filed an application for a water permit to appropriate 3.34 cubic feet of water per second (2,419 acre feet annually) from three wells (Dakota Formation) approximately 300 feet deep located in the N1/2 NE1/4 Section 35, T89N, R48W

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6074-3 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 June 29, 1998.

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 )  
:ss  
County of Union )



Kelly Kruithoff

an employee of the publisher of the Leader-Courier, deposes and says that

## The Leader-Courier

is a legal weekly newspaper of a general circulation, printed and published in Elk Point, County of Union, State of South Dakota, and that has been such legal newspaper during the time herein-after mentioned, and that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

Notice of Application No. 6074-3

to Appropriate Water

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said County of Union for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Elk Point, the said place of publication; that the first publication of said notice in said newspaper as

The first publication being made on Thursday, the 11 day of June 1998, and that the succeeding publications were

on Thursday, the 18 day of June, 1998

on Thursday, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

on Thursday, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

on Thursday, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

on Thursday, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

that the fees for the printing and publishing of said notice and advertisement in said newspaper

as aforesaid were \$ 37.31, that the full amount of the fee charged insures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

*Kelly Kruithoff*

Subscribed and sworn to before me this 29 day of June 1998

My commission expires 3-22-04

*[Signature]*

Notary Public

## NOTICE OF APPLICATION NO. 6074-3 TO APPROPRIATE WATER

Notice is given that Dakota Dunes Community Improvement District, c/o Glen Ivarsen, 370 West Anchor Drive, Suite 300, Dakota Dunes, SD 57049 has filed an application for a water permit to appropriate 3.34 cubic feet of water per second (2,419 acre feet annually) from three wells (Dakota Formation) approximately 300 feet deep located in the N 1/2 NE 1/4 Section 35, T89N, R48W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6074-3 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 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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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.

Printed June 11 and 18, 1998.

48-11 65

37.31



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

SEP 3 1998

Dakota Dunes Community Improvement District  
%Glen Ivarsen  
370 West Anchor Drive, Suite 300  
Dakota Dunes, SD 57049

Dear Mr. Ivarsen:

Enclosed is Water Permit No. 6074-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

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

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

**Permit No. 6074-3**  
**Big Sioux River - Water District**

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

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

I have this day, July 28, 2005, made a thorough examination of the water use system constructed by Dakota Dunes Community Improvement District of 335 South Point Rd, Dakota Dunes SD 57049 holder of Permit No. 6074-3, bearing the priority of May 4, 1998 authorizing the diversion of 3.34 cu. ft. per second of the waters of Dakota Formation for municipal purposes, in Union County.

Inspection contact & relationship     **Dave Fuehrer – Public Works Manager (605) 232-4211**  
to permit holder, if applicable:

**A. Works used to divert the water:**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Well Information: well #3</b></p> <ol style="list-style-type: none"> <li>1) Well Drilling Firm: <u>Layne-Western</u></li> <li>2) No. of Wells <u>1</u></li> <li>3) Depth(s) <u>320</u> feet</li> <li>4) Well log is available <u>yes</u></li> <li>5) Comment:</li> </ol> <p><b>Casing: outside casing</b></p> <ol style="list-style-type: none"> <li>1) Diameter <u>30</u> inches</li> <li>2) Length <u>170</u> feet</li> <li>3) Type <u>steel</u></li> </ol> <p><b>Casing: drop pipe</b></p> <ol style="list-style-type: none"> <li>4) Diameter <u>8</u> inches</li> <li>5) Length</li> <li>6) Type <u>pvc</u></li> </ol> <p><b>Screen:</b></p> <ol style="list-style-type: none"> <li>1) Type <u>stainless steel</u></li> <li>2) Length <u>90</u> feet</li> <li>3) Static water level <u>17</u> feet</li> </ol> <p><b>Pump:</b></p> <ol style="list-style-type: none"> <li>1) Make <u>Goulds submersible</u></li> <li>2) Model</li> <li>3) Size <u>8"</u></li> <li>4) Capacity <u>1500</u> GPM</li> </ol> <p><b>Motor:</b></p> <ol style="list-style-type: none"> <li>1) Make <u>Goulds</u></li> <li>2) Model No.</li> <li>3) Horsepower rating <u>75</u> hp</li> </ol> | <p><b>Well Information: well #4</b></p> <ol style="list-style-type: none"> <li>1) Well Drilling Firm: <u>Layne-Western</u></li> <li>2) No. of Wells <u>1</u></li> <li>3) Depth(s) <u>320</u> feet</li> <li>4) Well log is available <u>yes</u></li> <li>5) Comment:</li> </ol> <p><b>Casing: outside casing</b></p> <ol style="list-style-type: none"> <li>1) Diameter <u>30</u> inches</li> <li>2) Length <u>160</u> feet</li> <li>3) Type <u>steel</u></li> </ol> <p><b>Casing: drop pipe</b></p> <ol style="list-style-type: none"> <li>1) Diameter <u>12</u> inches</li> <li>2) Length <u>200</u> feet</li> <li>3) Type <u>steel</u></li> </ol> <p><b>Screen:</b></p> <ol style="list-style-type: none"> <li>1) Type <u>stainless steel</u></li> <li>2) Length <u>108</u> feet</li> <li>3) Static water level <u>13</u> feet</li> </ol> <p><b>Pump:</b></p> <ol style="list-style-type: none"> <li>1) Make <u>Goulds submersible</u></li> <li>2) Model</li> <li>3) Size <u>12"</u></li> <li>4) Capacity <u>1500</u> GPM</li> </ol> <p><b>Motor:</b></p> <ol style="list-style-type: none"> <li>1) Make <u>Goulds</u></li> <li>2) Model No.</li> <li>3) Horsepower rating <u>75</u> hp</li> </ol> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

- 1) Type pcv      2) Size 14 inches      3) Length 2450 feet

**C. Works used to apply water to beneficial use:**

**Municipal distribution system.**

**D. Compliance with Permit Requirements:**

- 1) Permit qualifications being abided by yes

The system is in good condition with the point(s) of diversion located as follows: well #3: 1420' W and 585' S; well #4: 1480' W and 400' S of the NE corner Section 35-T89N-R48W. The works are capable of diverting and conveying to the place of use 6.67 cu. ft. per second of water which is to be used for municipal water supply. Water has been put to beneficial use to the maximum extent as follows:

**Municipal water supply for the Dakota Dunes Community.**

The license should be issued for 3.34 cfs.

All structures, wells and lands on map yes

Comments or other permit(s) associated with the project: **LC 5437-3**

**Pumps #3 and #4 are not run at the same time. The license should be issued for 1500 gpm or 3.34 cfs.**

  
Lynn Beck

Natural Resources Engineer Specialist  
DENR, Water Rights Program

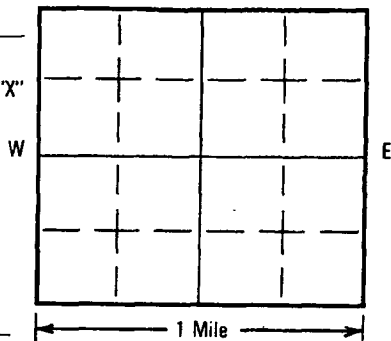
Date report completed: August 10, 2005

# SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location 1/4 1/4 Sec 35 Twp 89N Rg 48W  
 County UNION

Please mark well location with an "X"



Well Completion Date

8-28-99

Well Owner: DAKOTA DUNES (NORTH WELL)

Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

## WELL LOG:

| FORMATION                    | DEPTH |     |
|------------------------------|-------|-----|
|                              | FROM  | TO  |
| CLAY                         | 0     | 11  |
| FINE SAND W/CLAY             | 11    | 47  |
| FINE SAND & GRAVEL           | 47    | 61  |
| SAND & GRAVEL W/CLAY         | 61    | 74  |
| GRAY CLAY                    | 74    | 86  |
| SAND & GRAVEL                | 86    | 144 |
| SHALE                        | 144   | 163 |
| FINE SANDSTONE W/CLAY LAYERS | 163   | 202 |
| FINE MEDIUM SANDSTONE        | 202   | 255 |

## LOCATION:

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

## PROPOSED USE:

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

## METHOD OF DRILLING:

REVERSE ROTARY

## CASING DATA:

☒ Steel    ☐ Plastic    ☐ Other

If other describe \_\_\_\_\_

| PIPEWEIGHT  | DIAMETER | FROM     | TO       | HOLE DIAMETER |
|-------------|----------|----------|----------|---------------|
| 118.6 LB/FT | 30 IN    | 6 FT     | 160 FT   | 36 IN         |
| 7059 LB/FT  | 18 IN    | 6 FT     | 200 FT   | 28 IN         |
| _____ LB/FT | _____ IN | _____ FT | _____ FT | _____ IN      |

## GROUTING DATA

| Grout Type  | No. of Sacks | Grout Weight  | From | To     |
|-------------|--------------|---------------|------|--------|
| NEAT CEMENT | 793          | _____ lb./gal | 6 ft | 160 ft |
| NEAT CEMENT | 390          | _____ lb./gal | 6 ft | 160 ft |

Describe grouting procedure PRESSURE GROUTED

SCREEN: ☐ Perforated pipe    ☒ Manufactured

Diameter 18 IN Length 108 FEET

Material STAINLESS STEEL

Slot Size .020 Set From 200 Feet to 308 Feet

Other information \_\_\_\_\_

WAS A PACKER OR SEAL USED? ☐ YES    ☒ NO

If so, what material? \_\_\_\_\_

Describe packer(s) and location? \_\_\_\_\_

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: \_\_\_\_\_

☐ NO, Why Not? \_\_\_\_\_

Laboratory sent to for water quality analysis

WITH 200 PPM SODIUM HYPOCHLORITE

BY ENGINEER

STATIC WATER LEVEL 13 Feet

If flowing: closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ inch pipe

Controlled by ☐ Valve    ☐ Reducers    ☐ Other \_\_\_\_\_

Reduced Flowrate \_\_\_\_\_ GPM

Can well be completely shut in? \_\_\_\_\_

## WELL TEST DATA:

☒ Pumped    Describe: WITH TURBINE PUMP

☐ Bailed

☐ Other

Pumping Level Below Land Surface

74.05 ft. After 17 Hrs. pumped 1507 GPM

87.4 ft. After 8 Hrs. pumped 1929 GPM

If pump installed, pump rate 1500 GPM

## REMARKS

This well was drilled under license # 513

And this report is true and accurate.

Drilling firm LAYNE-WESTERN COMPANY

Signature of License Representative: \_\_\_\_\_

BRAD HARRIS

Signature of Well Owner or Equitable Property Holder: \_\_\_\_\_

Date: 1/18/00

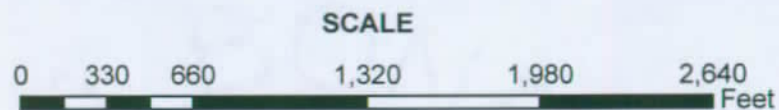


DAKOTA DUNDS (NORTH WELL)

WELL LOG FORMATION CONTINUED:

|                              | <u>FROM</u> |   | <u>TO</u> |
|------------------------------|-------------|---|-----------|
| MEDIUM COARSE SAND STONE     | 255         | - | 281       |
| FINE MEDIUM SANDSTONE        | 281         | - | 297       |
| SANDSTONE W/LIMESTONE LAYERS | 297         | - | 310       |
| SHALE                        | 310         | - | 320       |

WATER RIGHT NO. 6074-3  
DAKOTA DUNES COMMUNITY IMPROVEMENT DISTRICT  
August 10, 2005



*Lynn Beck*

Lynn Beck  
Natural Resources Engineer Specialist  
DENR, Water Rights Program  
August 10, 2005

South Dakota Department of  
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

September 8, 2005

6074-3  
6110-3

Dakota Dunes Community Improvement District  
c/o Dave Fuehrer, Public Works Manager  
PO Box 1997  
Dakota Dunes SD 57049-1197

Dear Mr. Fuehrer:

On July 28, 2005 the investigation of the water use systems, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 6074-3 and 6110-3, were completed by Lynn Beck, staff engineer with our program. The final water right document, the water license, can now be issued for each permit.

State law requires that we charge a \$50.00 fee for the investigation and issuance of each water license (\$100 total). Upon receipt of the fee, we will complete processing the water licenses. The check or money order for the fee should be made payable to the "Water Rights Program".

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

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

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
(605) 773-3352

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 23, 20 05

RECEIVED OF Dakota Dunes Community Improvement Dist., PO Box 1997, Dakota Dunes SD 57049

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 | 50    | 00 |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   |       |    |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                         |       |    |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6074-3</u>    |       |    |
| Fee for Filing Transfer Form _____                                                                             |       |    |
| Fee for _____                                                                                                  |       |    |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                            |       |    |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                             |       |    |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                         | 50.00 |    |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |    |
| (Any Other Work Provided by Law)                                                                               | TOTAL |    |

No.

By

Darlene Schick

Chief Engineer

gm

0019 17

# STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 6074-3

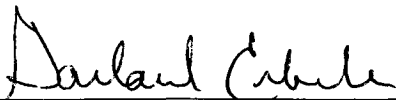
(1) Dakota Dunes Community Improvement District, PO Box 1997, Dakota Dunes SD 57049-1997 made Application No. 6074-3, May 4, 1998 for a water permit to divert 3.34 cubic feet of water per second (2,419 acre-feet annually) from groundwater (three wells), Union County, South Dakota for municipal purposes. Permit No. 6074-3, with a priority date of May 4, 1998 was approved June 29, 1998 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 29, 2003 and for the application to beneficial use of water on or before June 29, 2007.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6074-3 is issued a license, bearing a priority date of May 4, 1998 to appropriate 3.34 cubic feet of water per second (2,419 acre-feet annually) from groundwater (two wells) for municipal purposes.

The diversion points are located: Well #3 – 1,420 feet west and 585 feet south; Well #4 – 1,480 feet west and 400 feet south; both from the northeast corner Section 35-T89N-R48W (NW ¼ NE ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6074-3 including the following now applicable qualifications:

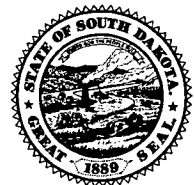
- The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The wells authorized by Permit No. 6074-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
- The Dakota Dunes Community Improvement District shall report to the Chief Engineer annually the amount of water withdrawn each year from the Dakota Formation.



Garland Erbele, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

OCT 13 2005

date





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

OCT 13 2005

6074-3  
6110-3

Dakota Dune Community Improvement District  
% Dave Fuehrer Public Works Manager  
PO Box 1997  
Dakota Dunes SD 57049-1197

Dear Mr. Fuehrer:

Enclosed are Water License Nos. 6074-3 & 6110-3. These are the final water right document completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 001966 & 001967 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

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

Sincerely,

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

enclosures