

WATER PERMIT NO. 6093-3

Name of Applicant: Lyon & Sioux Rural Water System

Address: 1107 1st Ave, Rock Rapids IA 51246

Phone: 712 472 3755

Amount of Water Claimed: 1.47 cfs (530 AF annually)

Total Acres: na

Source of Water Supply: groundwater (2 wells)

Water to be used for: rural water system use

County: Lincoln

Type of Waste Disposal System: NA

Location: 6 miles northeast of Canton

PRIORITY

Date Received: 8-10-1998

Fee: \$300

Corrected Application Received:

Period of Annual Use: January 1- December 31

Remarks: Customers served by the rural water system are within the State of Iowa

Diversion Point: NW ¼ SW ¼ Sec 16-T99N-R48W

Land to be Irrigated: NA

Depth of Well: 32 to 45 feet deep

Well Driller: Lacey Well Drilling

Remarks:

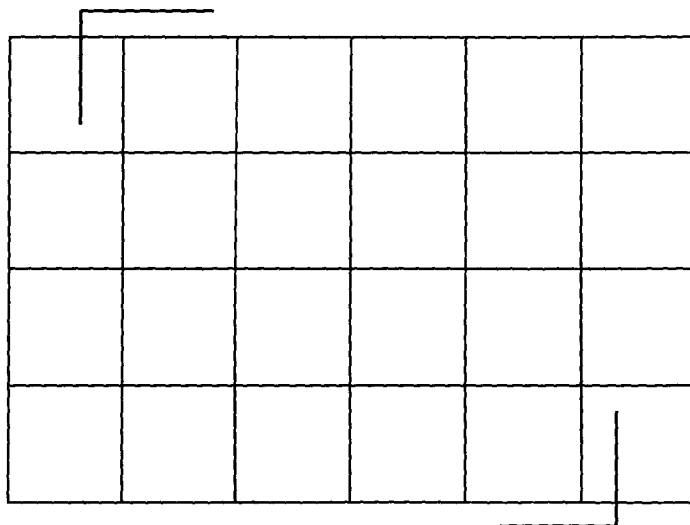
Type of Map: topographic

Prepared by: Gary Patton, PE

Reviewed and the Number Assigned on: 8-10-98

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



SOUTH DAKOTA
WATER PERMIT NO. 6093-3

Date of first receipt of application August 10, 1998.

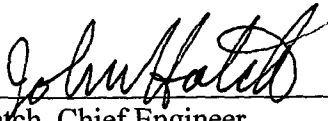
The Water Management Board approved Water Permit Application No. 6093-3 on May 5, 1999 for Lyon & Sioux Rural Water System, c/o Jerry Cook, Manager, 1107 1st Ave, Rock Rapids IA 51246 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6093-3 appropriates 1.47 cubic feet of water per second (530 acre-feet annually) from two wells, 32 to 45 feet deep (Big Sioux:South Aquifer) located in the NW ¼ SW ¼ (Lot 1) Section 16-T99N-R48W.
2. The water appropriated shall be used for the purpose of supplying water for rural water system use and will serve customers within the State of Iowa and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date from which applicant may claim right is March 2, 1999.
5. One-fifth of the construction is to be completed on or before November 5, 2001.
6. All construction is to be completed on or before May 5, 2004.
7. Water is to be put to beneficial use on or before May 5, 2008.
8. 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. The wells authorized by Permit No. 6093-3 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) pursuant to Section 74:02:04:28.
3. Permit No. 6093-3 authorizes a total annual diversion of 530 acre-feet of water annually.
4. The Lyon and Sioux Rural Water System shall report to the Chief Engineer of the South Dakota Water Right Program the amount of water withdrawn each year from the Big Sioux:South Aquifer.

WATER MANAGEMENT BOARD

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

MAY 20 1999

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	No. <u>6093-3</u>	(office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Sioux Valley News, Canton, SD</u>	



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.) _____

1. Name of Applicant Lyon & Sioux Rural Water System Phone (712)472-3755
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 1107 1st Ave., Rock Rapids State Iowa 51246
(Street, RR. or Box) (Zip Code)

2. Amount of water claimed 1.47 *CFS or 660 **GPM 530 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Shallow vertical wells in the Big Sioux Aquifer

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 2 wells in NW 1/4 of SW 1/4, (Lot 1)
Section 16, T-99N, R-48W

County Lincoln, South Dakota

5. County or counties where water will be used Lyon and Sioux Counties, Iowa

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

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

Lyon and Sioux RWS desires to add two new wells at 200 gpm each in order to continue serving customers in the northwest part of the service area. Exploratory work for adequate water supply near the existing wells at the Klondike site has been unsuccessful. Test holes drilled across the river on the South Dakota side indicate potential for productive wells. Water from the wells would be piped east across the Big Sioux River to the Lyon & Sioux RWS Klondike Water Treatment Plant. All customers potentially served by the wells are within the State of Iowa.

STATE OF IOWA)

County of Lyon

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, JERRY COOK, 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

[Signature]

Subscribed and sworn to before me this 5th day of August 19 98



[Signature]

Notary Public

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 20 inches Depth 32 to 45 feet
- b) Casing Type Black Steel Diameter 12 inches Thickness 0.375 inches
- c) Screen Type Stainless Steel Diameter 12 inches Thickness To be determined
- d) Gravel Pack Washed quartz gravel Length of Gravel Pack 25 to 38 feet
- e) Depth to Top of Water Bearing Material 7 feet
- f) Depth to Water (ground surface to water level) 10 to 12 feet
- g) Distance to nearest existing domestic well:
On applicants property 800 feet On property owned by others Greater than 1000 feet

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 31, 1998

Darron Schriever
DGR
315 1st Avenue
Rock Rapids IA 51246

Dear Mr. Schriever:

I am writing as a follow-up to our telephone conversation in which we discussed the development of a well in South Dakota to supply water to an Iowa rural water system. South Dakota water rights law does provide that a water right may be granted for uses outside the state. Please find enclosed an application form and instruction sheet for filing for a water right permit.

In the course of our discussion you asked some questions on well construction standards. Brief answers are provided below.

- Any well constructed in South Dakota must be drilled by a SD licensed well driller in compliance with our well construction standards. A copy of the well construction standards is attached.
- There is not a specific set back distance for construction of a well from the Big Sioux River.
- Well Construction Standard 74:02:04:27 addresses the minimum distance above the high water level the top of the well casing is to terminate.
- You questioned what type of documentation would need to be provided with an application on ground water withdrawal affect on Big Sioux River flows. Currently, I do not anticipate this to an issue in the review of a water right permit application. However, if the application is contested during the public notice process this question could arise that the applicant will need to be prepared to answer.
- If a berm is constructed in a manner that interferes with the stage, level or flow of the Big Sioux River there may be a need for additional permitting requirements. Generally, if this type of encroachment is out of the normal stream channel, the state has not required a flood control permit. There may also be permitting requirements with the Corps of Engineers for this activity.
- Finally, I checked with the Drinking Water Program and document "Criteria of Design of Public Water Supply" dated July 1, 1979 is still the resource document they use.

I have also enclosed a copy of South Dakota water rights law and the administrative rules related to water rights for your information. Questions on the well construction standard may be directed to Ken Buhler at (605) 773-3352 and questions on design of public water supply should be directed to Garland Erbele of the Drinking Water Program at (605) 773-3754. Additionally, if more than 5 acres are disturbed during construction activities in South Dakota, a storm water permit may be necessary. Norma Job with the Surface Water Quality Program can answer any questions on the storm water permit at (605) 773-3351.

Please let me know if I may be of further assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eric Gronlund".

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures



**DeWild Grant Reckert
and Associates Company**
315 First Avenue
Rock Rapids, IA 51246
(712)472-2531
FAX (712)472-2710

Consulting Engineers
FAX TRANSMITTAL

TO: Eric Gronlund
Division of Water Rights

FAX NO.: (605)773-6035

DATE: August 6, 1998

RE: Lyon & Sioux RWS
Water Appropriations Permit

DGR PROJECT NO.: 801001

Number of Pages Including This Page: 1



REMARKS:

Jerry Cook, manager of Lyon & Sioux Rural Water System, has indicated that he will be sending in a water appropriations permit application within the next couple of days. DGR, the consultant for the water system, completed the permit application. Please direct any questions concerning the project to myself or Gary Patton at DGR.

Thanks for your cooperation, and please call with any questions.

DEWILD GRANT RECKERT & ASSOCIATES

By *Darin Schriever*
Darin Schriever, EIT
Staff Engineer

CC:

You are receiving a fax from DeWild Grant Reckert and Associates Company. If you did not receive the number of pages indicated above in good condition, please call us at 712-472-2531 so that we can retransmit these pages.



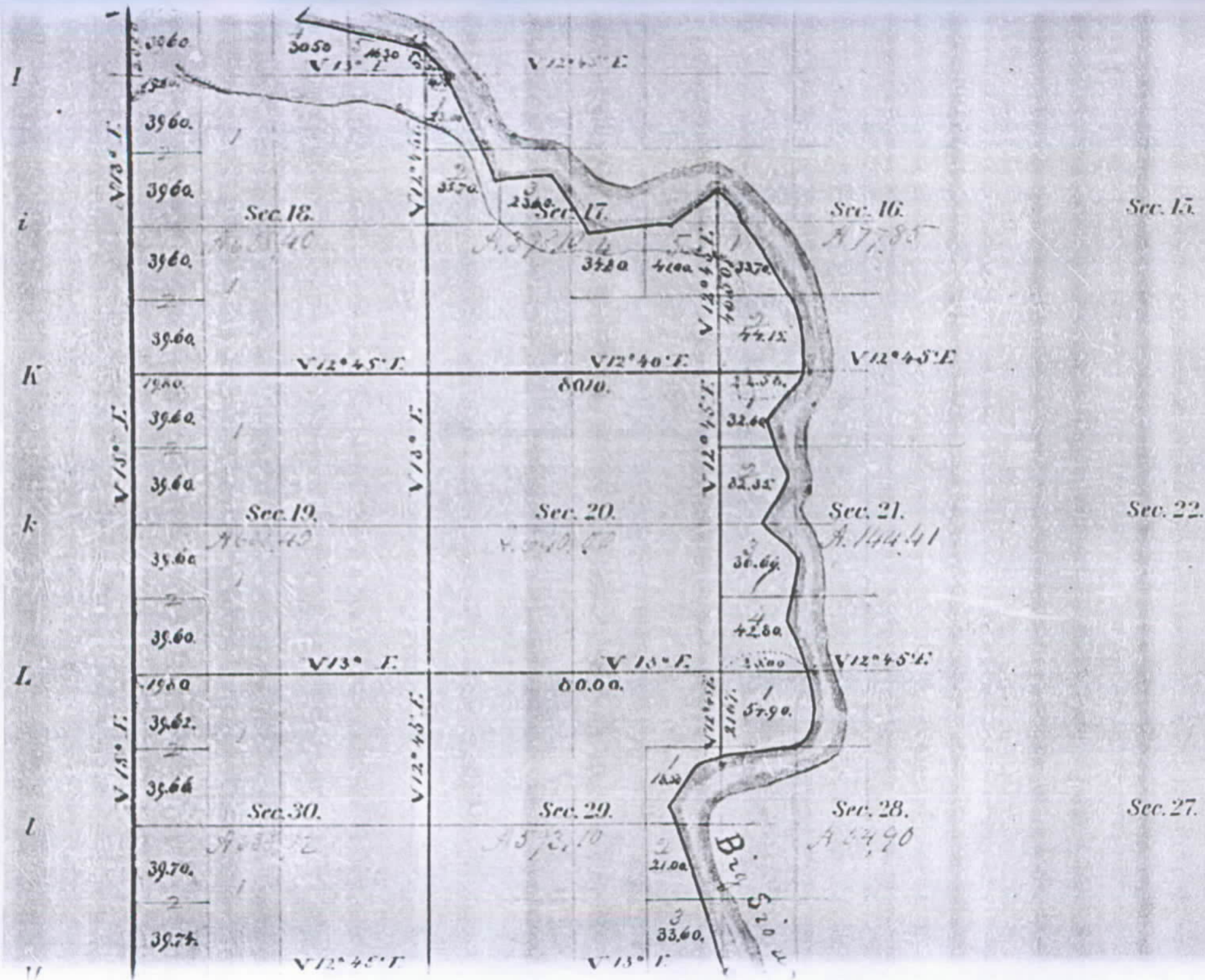
I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Engineer under the laws of the State of South Dakota.

By Gary Patton 8/5/98
Gary Patton, P.E. (date)

License Number 3612

My license renewal date is December 31, 1998

Pages or sheets covered by this seal: All

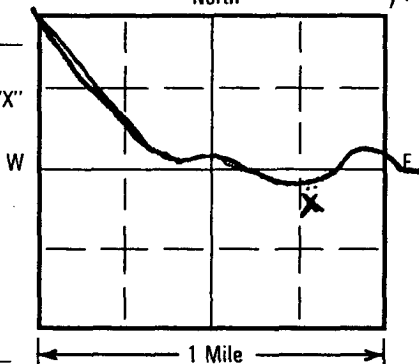


SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location 1/4 SE 1/4 Sec 17 Twp 99N Rg 48E
County Lincoln

Please mark well location with an "X"

Part of Lot 1
Peterson Tract 1
Well Completion Date5-20-99

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 3000' ft. from Farmstead (identify source).

PROPOSED USE:

☐ Domestic/Stock ☒ Municipal ☒ Business ☐ Test Holes
☒ Irrigation ☒ Industrial ☒ Institutional ☐ Monitoring well
METHOD OF DRILLING: 20" Face CasingCASING DATA: ☒ Steel ☐ Plastic ☐ OtherIf other describe SCH 40 BLACK STEEL

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>50</u> LB/FT	<u>12"</u> IN	<u>+1</u> FT	<u>29</u> FT	<u>20"</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>chips</u>	<u>6</u>	_____ lb./gal	_____ ft.	_____ ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure placed chips in last 4' of 20" and 12" casingSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12" ps IN Length 11 FEETMaterial SSSlot Size 040 Set From 34 Feet to 40 FeetOther information 050 " 29 " 24 "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: chlorinatedNO, Why Not? pack and backfillMATERIALS

Laboratory sent to for water quality analysis

YES - BY OWNERWell Owner: Lyon Sioux RWS #6 (w)

Business Name: _____

Address: Box 309
Rock Rapids, IA 51246

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>RIVER SILT</u>	<u>0</u>	<u>3</u>
<u>FINE BROWN SAND</u>	<u>3</u>	<u>18</u>
<u>COARSE SAND</u>	<u>18</u>	<u>23</u>
<u>COARSE GRAVEL</u>	<u>25</u>	<u>33</u>
<u>FINE SAND</u>	<u>33</u>	<u>40</u>

STATIC WATER LEVEL 3 1/2' when measured 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: 48 hr pump test☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

237 ft. After 48 Hrs. pumped 270 GPM

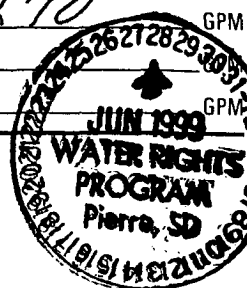
_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____

REMARKS

This well was drilled under license # 111

And this report is true and accurate.

Drilling firm LACEY WELL DRILLINGSignature of License Representative: James LaceySignature of Well Owner or Equitable Property Holder: Greg CookDate: 6-23-99

Lacey Well Drilling, Dell Rapids, SD (across from
by Joanne & Matt Lacey Klondike W.T.P.)

#1

Proposed
Well
BS-5

Test Hole - 330' S-SW of River

0-7	Fine sand
7-12	Gray sand
12-25	Good sand
25-27	Fine sand
27-32	Gravel
32-35	Clay

from Jerry Cook
7/20/90

801001.12

10 ft to Water
Stainless steel
Point 30'

#2

Test Hole - 420' South of #1

0-3	Top soil (black)
3-12	Mud
12-23	sand
23-33	Very fine sand

12 ft to Water
no point

not as good as #1

#3

Test Hole 390' NW of #1
360' from River

Proposed
Well
BS-6

0-7	Top soil
7-12	Fine sand
12-20	Good sand
20-23	Fine sand
23-46	Sand
46	Clay

12' to Water

~ 35-40' point

Loops estimated #1 & #3 @ 200 gpm

REPORT ON WATER PERMIT APPLICATION NO. 6093-3

for Lyon and Sioux Rural Water System

August 19, 1998

Application No. 6093-3 proposes to appropriate 1.47 cfs or 660 gpm (530 acre feet annually) from two wells approximately 32 to 45 feet deep located in the NW 1/4 SW 1/4 (Lot 1) of section 16, T99N R48W in Lincoln County. The water is for rural water system use and will serve customers within the State of Iowa.

AQUIFER - BIG SIOUX SOUTH (BS-S)

The Big Sioux South is a surficial outwash (sand and gravel) which is under water table conditions in this area. The aquifer is hydraulically connected to the Big Sioux River, and the Schindler and Newton Hills aquifers in Lincoln County (Niehus, 1994). Ground water movement is from north to south in the Big Sioux and basically west to east from the Schindler and Newton Hills aquifers to the Big Sioux aquifer. The Big Sioux aquifer underlies about 60 square miles and contains an estimated 160,000 acre feet of water in storage in Lincoln and Union Counties (Niehus, 1994).

Test hole information filed with the application indicate sand and gravel near the land surface and extending to a depth of 32 feet in test hole #1 and to a depth of 45 feet in test hole #3. The static water level was between 10 and 12 feet below land surface and the driller estimated production wells at these test sites would produce about 200 gpm. No production tests have been completed.

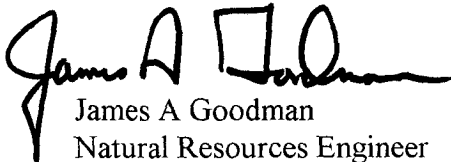
The Water Rights Program does monitor an observation well, LN-57A, completed into the Big Sioux aquifer and located about one-half mile south of this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1998). A hydrograph for this observation well is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing ground water permits which obtain water from the Big Sioux aquifer in this area. There is a Water Right No. 3914-3 located about one-half mile upstream which diverts (1.56 cfs for irrigation) from the Big Sioux River and there is a Water Right No. 5018-3 (360 acre feet storage dam) which is located about one-half mile south on the Big Sioux River. The stage of the Big Sioux River is affected by the dam (Klondike) and there is backup in the river past these proposed diversion points. Interference is not expected to be a concern.

CONCLUSIONS

1. Water is available from the Big Sioux South aquifer.
2. The aquifer is under water table conditions. Drawdown created by pumping should not be significant and should not extend very far from the individual production wells. Interference is not a concern.
3. The production wells will be located about 330 feet to 360 feet from the Big Sioux River. The river will help maintain water levels in the aquifer during pumping.
4. The observation well record indicates that about 12 feet of fluctuation in ground water levels can be expected. This is data from the hydrograph. This maximum record is from the absolute highest to the lowest water levels recorded. Normally a three to four feet fluctuation annually can be expected.
5. These wells must be constructed in accordance with SD Well Construction Standards.
6. A water permit can be issued for uses outside of the state in accordance with SDCL 46-1-13.

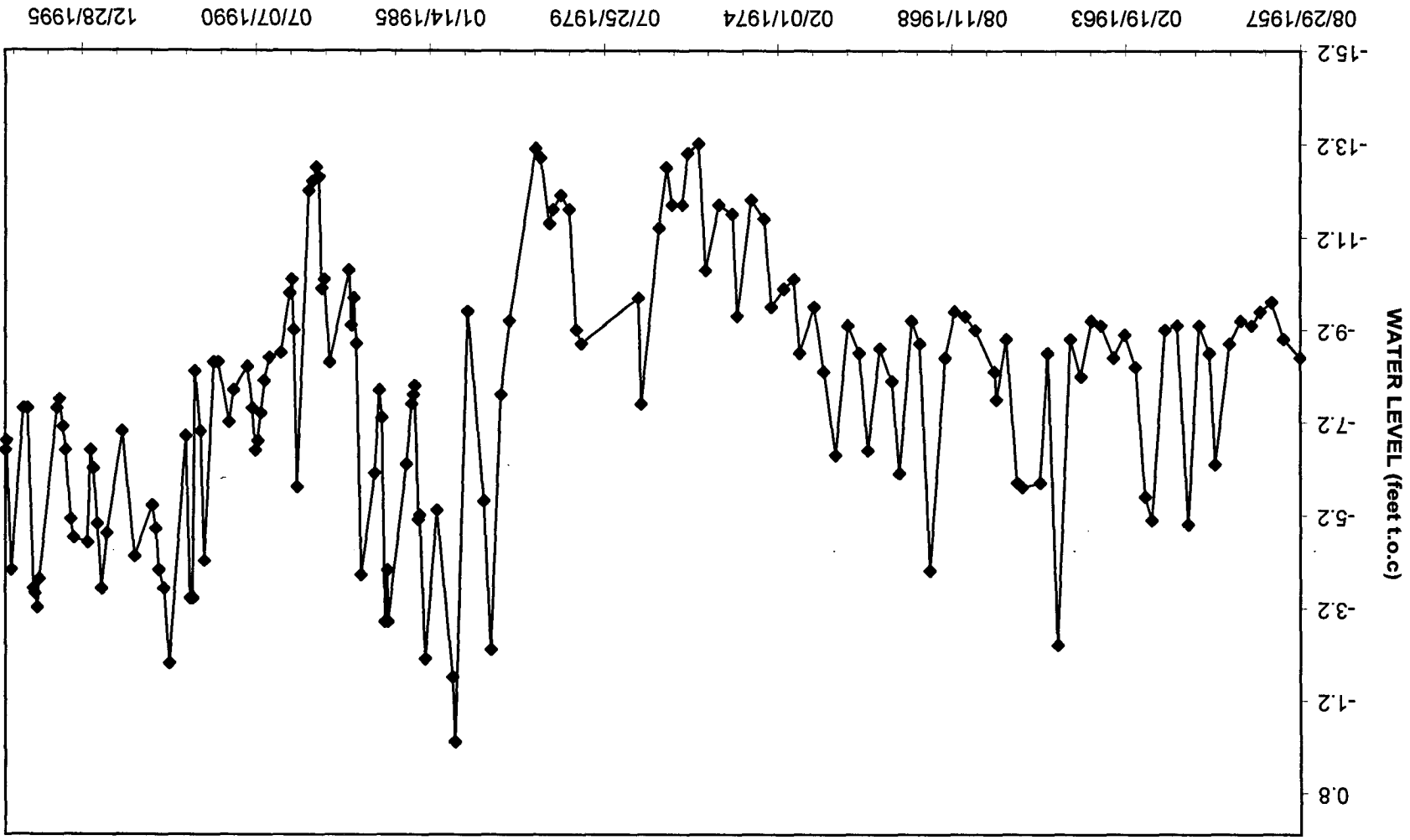


James A Goodman
Natural Resources Engineer

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 Records for Lincoln County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
LN-57A



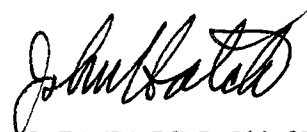
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6093-3, Lyon & Sioux Rural Water System

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. 6093-3, Lyon & Sioux Rural Water System, c/o Jerry Cook, 1107 1st Ave., Rock Rapids Iowa 51246.

The Chief Engineer is recommending APPROVAL of Application No. 6093-3 because pursuant to SDCL 46-1-13 a water right permit may be granted for uses outside the state of South Dakota and 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. 6093-3 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) pursuant to Section 74:02:04:28.
3. Permit No. 6093-3 authorizes a total annual diversion of 530 acre feet of water annually.
4. The Lyon and Sioux Rural Water System shall report to the Chief Engineer of the South Dakota Water Rights Program the amount of water withdrawn each year from the Big Sioux:South Aquifer.

See report on application for additional information.



JOHN HATCH, Chief Engineer
August 26, 1998

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Lyon & Sioux Rural Water System Appl. No. 6093-3

ADDRESS: COUNTY: Lincoln

DATE: TELEPHONE:

RE: Water Quality

COMMENTS:

The report prepared on the water right permit application did not review the suitability of the South Management Unit of the Big Sioux Aquifer as a drinking water source.

The City of Harrisburg uses the Big Sioux:South Aquifer as its water source and is located approx. 10 miles northwest of the RWS's proposed wells. I checked with the Drinking Water Program whether Harrisburg has had any violation of the drinking water standards. Rob Kittay checked their records and stated there have been no violations of drinking water standard from this source.

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 Nordlund

SOUTH DAKOTA DEPARTMENT OF WATER AND NATURAL RESOURCES
Division of Water Rights
Water Analysis

Source Sampled: Well # 2N57A Depth 29.4
Date Collected: 10-3-89 499N 48W 218BAA
Collected By: McCue

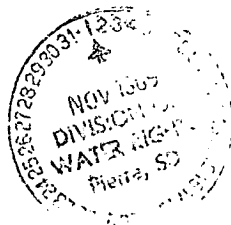
Parameter	Maximum Limit	Results
Sodium (Na)	mg/l	17.9
Potassium (K)	mg/l	3.1
Calcium (Ca)	mg/l	23.8
Magnesium (Mg)	mg/l	31.9
Nitrate (NO ₃) (as N)	10 mg/l	6.3
Chloride (Cl)	250 mg/l	33.0
Sulfate (SO ₄)	250 mg/l	4.1
Alkalinity-M (CaCO ₃)	mg/l	4.1
Alkalinity-P (CaCO ₃)	mg/l	6
Bicarbonate (HCO ₃)	mg/l	514
Carbonate (CO ₃)	mg/l	0
pH	6.5-8.5	8.01
Spec. Cond. @ 25°C	umhos/cm	1484
Boron		0.13
Total Solids		1257
Sodium Absorption Ratio		0.26
Total Cations		19.4
Total Anions		18.6

LAB COMMENTS: 210-S-89 HF

LAB NUMBER: 210-S-89

Reported Out:

NOV 1 1989 115



STATE HEALTH LABORATORY
200 E. Capitol
PIERRE, SD 57501-5093

OBSERVATION WELL

LOG AND INSPECTION SHEET

Well No. S-32, Section NW 1/4
N 21, Township 99, Range 48Well Driller Maxwell HolzbauerDate drilled August 14, 1957 Dia. of Hole 4", Dia. of Casing 1 1/4"

LOG

Layers, Top to Top in feet	Description of Layer	Sampled
0	loam	
12 ft.	sand (coarse)	x
28 ft.	gravel (coarse)	
35 ft.	clay (blue)	
40 ft.	bottom of hole	

Depth to saturated material 13 feetDepth to static water level feetTotal depth of drill hole 40 feetTotal length of casing installed 28 feet

CHECK LIST

Well Point	<u>X</u>	Waste Mounded	<u>X</u>
Casing Packed	<u>X</u>	Air Hole	<u>X</u>
Bentonite Placed	<u>X</u>	Padlocked	<u>X</u>
Well Tested	<u>X</u>		

s/ Ed St. Onge

Signed

Use back of sheet for remarks.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

August 27, 1998

Lyon & Sioux Rural Water System
%Jerry Cook
1107 1st Ave.
Rock Rapids, IA 51246

Dear Mr. Cook:

Water Permit Application No. 6093-3 for rural water system 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 Sioux Valley News printed at Canton, SD (Ph # (605) 987-2631). 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: Darin Schriever, DGR and Associates, Company, 315 First Avenue, Rock Rapids, IA 51246.

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

August 27, 1998

Sioux Valley News
Box 255
Canton, SD 57013-0255

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6093-3 to Appropriate Water to be published twice. Please publish the first notice on September 3, 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 Lyon & Sioux Rural Water System, %Jerry Cook, 1107 1st Ave., Rock Rapids, IA 51246 (Ph # (712) 472-3755).

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. 6093-3

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

Date _____

We are in receipt of your letter of August 28, 1998, enclosing Notice of Hearing to Appropriate Water by Application No. 6093-3 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 September 3, 1998, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6093-3 to Appropriate Water

Notice is given that Lyon & Sioux Rural Water System, 1107 1st Ave, Rock Rapids IA has filed an application for a water permit to appropriate 1.47 cubic feet of water per second (530 acre-feet annually) from two wells, 32 to 45 feet deep (Big Sioux:South Aquifer) located in the NW ¼ SW ¼, (Lot 1) Section 16-T99N-R48W Lincoln County, South Dakota. The water is for rural water system use and will serve customers within the State of Iowa.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6093-3 because pursuant to SDCL 46-1-13 a water right may be granted for uses outside the state of South Dakota, and 1) there is unappropriated water 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 September 21, 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.

The Water Management Board will consider this application at 9:30 a.m., October 1, 1998, Floyd Matthew Training Center, 523 East Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The October 1, 1998, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by September 21, 1998.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by September 21, 1998, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Gronlund, Eric

To: Hatch, John; Goodman, Jim
Cc: Schlaak, Karen; Duvall, Ron
Subject: Lyon - Sioux RWS water right permit application

This is the application to serve users in Iowa. I received a call from Jerry Cook with the RWS and he indicated they are having problems getting an easement from one of the property owners for the well site. The property is jointly owned by three parties and one is currently unwilling to sign an easement in its current form. Mr. Cook asked that the water right permit application be put on hold and he stated the newspaper has been told not to publish the notice of hearing.

Mr. Cook stated he was going to work to resolve the impasse and will contact me when they wish to proceed. He thanked me for our prompt processing of the application.



**DeWild Grant Reckert
and Associates Company**
315 First Avenue
Rock Rapids, IA 51246
(712)472-2531
FAX (712)472-2710

Consulting Engineers
FAX TRANSMITTAL

TO: Eric Gronlund
Division of Water Right

FAX NO.: (605)773-4068

DATE: March 1, 1999

RE: Lyon & Sioux Rural Water System
Water Appropriations Permit

DGR PROJECT NO.: 801001



Number of Pages Including This Page: 1

REMARKS:

In August of 1998, Lyon and Sioux Rural Water System applied for a water appropriations permit for wells on the South Dakota side of the Big Sioux River near the Klondike water treatment plant. You responded August 27, 1998, with letter referencing Water Permit Application No. 6093-3. The letter also contained instructions regarding the Public Notice process. However, due to land acquisition issues, the project was placed on hold in the first part of September pending further negotiations for property rights.

Since that time, Jerry Cook, manager of the water system, has secured the necessary land purchase. Therefore, please proceed with the Public Notice on the Water Withdrawal Permit. Also, please inform me of any other matters concerning South Dakota DENR which need to be taken care of regarding the project.

DEWILD GRANT RECKERT & ASSOCIATES

By *Darin Schriever*
Darin Schriever, EIT
Staff Engineer

cc: Jerry Cook, Manager, Lyon and Sioux RWS

You are receiving a fax from DeWild Grant Reckert and Associates Company. If you did not receive the number of pages indicated above in good condition, please call us at 712-472-2531 so that we can retransmit these pages.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

March 4, 1999

Lyon & Sioux Rural Water System
%Jerry Cook
1107 1st Ave.
Rock Rapids, IA 51246

Dear Mr. Cook:

Water Permit Application No. 6093-3 for rural water system 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 Sioux Valley News printed at Canton, SD (Ph # (605) 987-2631). 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: Darin Schriever, DGR and Associates Company, 315 First Avenue, Rock Rapids, IA 51246.

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.



March 4, 1999

Sioux Valley News
Box 255
Canton, SD 57013-0255

ATTENTION: Legal Department

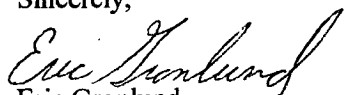
Enclosed is a Notice of Hearing on Application No. 6093-3 to Appropriate Water to be published twice. Please publish the first notice on March 11, 1999, with the second publication 7 days later.

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 Lyon & Sioux Rural Water System, %Jerry Cook, 1107 1st Ave., Rock Rapids, IA 51246 (Ph # (712) 472-3755).

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Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

No. 6093-3

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

Date _____

We are in receipt of your letter of March 4, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 6093-3 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 11, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6093-3 to Appropriate Water

Notice is given that Lyon & Sioux Rural Water System, 1107 1st Ave, Rock Rapids IA has filed an application for a water permit to appropriate 1.47 cubic feet of water per second (530 acre-feet annually) from two wells, 32 to 45 feet deep (Big Sioux:South Aquifer) located in the NW ¼ SW ¼, (Lot 1) Section 16-T99N-R48W Lincoln County, South Dakota. The water is for rural water system use and will serve customers within the State of Iowa.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6093-3 because pursuant to SDCL 46-1-13 a water right may be granted for uses outside the state of South Dakota, and 1) there is unappropriated water 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 23, 1999. 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.

The Water Management Board will consider this application at 10:00 a.m., May 5, 1999, Floyd Matthew Training Center, 523 East Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The May 5, 1999, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by April 23, 1999.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by April 23, 1999, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.



Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LINCOLN

DARCY VLK

being first duly sworn on her oath says;
that the Sioux Valley News is a legal weekly
newspaper of general circulation as required
by South Dakota Code of Nineteen Hundred
Thirty-Nine, and any acts amendatory
thereto, printed and published by the Sioux
Valley News, Inc., in Canton, in said county
and State, and has been such legal
newspaper during the time hereinafter
mentioned; that she is and during all of
said time was bookkeeper of said newspaper
and has personal knowledge of the facts
stated in this affidavit; that the
advertisement headed:

NOTICE OF HEARING ON APPLICATION NO. 6093-3

a printed copy of which is hereto attached,
was printed and published in said
newspaper for **TWO** successive weeks upon
the following dates, to-wit:

MARCH 11, 1999
MARCH 18, 1999

that the full amount of the fees charged for
publishing the same to-wit: the sum of
\$59.73 inures solely to the benefit of the
publishers of said newspaper; that no
agreement or understanding for any division
of this sum has been made with any other
person; and that no part of said sum has
been agreed to be paid to any person
whomsoever.

Darcy Vlk

Subscribed and sworn to before me this
18th day of **MARCH, 1999.**

Jeanne M. Limoges
Notary Public, South Dakota

(Seal)

Jeanne M. Limoges
My Commission Expires
November 18, 2003

**NOTICE OF APPLICATION
NO. 6093-3**

To Appropriate Water

Notice is given that Lyon & Sioux Rural Water System, 1107 1st Ave, Rock Rapids, IA has filed an application for a water permit to appropriate 1.47 cubic feet of water per second (530 acre-feet annually) from two wells, 32 to 45 feet deep (Big Sioux: South Aquifer) located in the NW 1/4 SW 1/4, (Lot 1) Section 16-T99N-R48W Lincoln County, South Dakota. The water is for rural water system use and will serve customers within the State of Iowa.

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The Water Management Board will consider this application at 10:00 a.m., May 5, 1999, Floyd Matthew Training Center, 523 East Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The May 5, 1999, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by April 23, 1999.

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This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Nettie H. Myers, Secretary, Department of Environment and Natural Resources. (3-11, 3-18)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 20 1999

Lyon & Sioux Rural Water System
%Jerry Cook, Manager
1107 1st Ave.
Rock Rapids, IA 51246

Dear Mr. Cook:

Enclosed is Water Permit No. 6093-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Very truly yours,

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

enclosures

c: Darin Schriever, DGR & Associates, 315 First Avenue, Rock Rapids, IA 51246.

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

Date 12-20-2000

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

FROM: LYON + SIOUX RURAL WATER 1107 1st AVE
(name) (address)
ROCK RAPIDS IOWA 51246 712-472-3755
(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. 6093-3.

Water Permit No. 6093-3 states that the diversion system is to be constructed by MAY 5, 2004, and that the water is put to beneficial use by
(date)

MAY 5, 2008.
(date)

The diversion system was completed on 8-24-2000.
(date)

Applying the water to beneficial use was completed on 9-4-2000.
(date)

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

Jerry Cook
(signature)



McMath, Genny

6093-3

From: Bonnie [lsrws@rconnect.com]
Sent: Friday, January 24, 2003 1:53 AM
To: genny.mcmath@state.sd.us
Subject: 2002 Water Report

Genny McMath
Department of Environment and Natural Resources

As required, following is the amount of water pumped from the Big Sioux:South Aquifer:

Water Permit #6093-3
Gallons pumped in 2002 54,679,700

Also, please note that Jerry Cook has retired. Future correspondence for this water permit # should be addressed to:

Reed Graefing
Operations Manager
Lyon & Sioux Rural Water Sstem, Inc.
1107 1st Ave.
Rock Rapids, IA 51246

~ 168 AF

Gm

1/23/2003

Permit No. 6093-3
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 26, 2005, made a thorough examination of the water use system constructed by Lyon & Sioux Rural Water System of 1107 1st Ave, Rock Rapids IA 51246 holder of Permit No. 6093-3, bearing the priority of March 2, 1999 authorizing the diversion of 1.47 cu. ft. per second and 530 ac. ft. annually of the waters of Big Sioux: South Aquifer for RWS purposes, in Lincoln County.

Inspection contact & relationship **Reed Graefing – Operations Manager (712) 472-3755**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information: well #5 1) Well Drilling Firm: <u>Lacey Well Drilling</u> 2) No. of Wells <u>1</u> 3) Depth(s) <u>32</u> feet 4) Well log is available <u>yes</u> 5) Comment: Casing: 1) Diameter <u>12</u> inches 2) Length <u>25</u> feet 3) Type <u>steel</u> Screen: 1) Type <u>stainless steel</u> 2) Length <u>8</u> feet 3) Static water level <u>4</u> feet Pump: 1) Make <u>Baker</u> 2) Model 3) Size 4) Capacity <u>300</u> GPM Motor: 1) Make <u>Goulds</u> 2) Model No. 3) Horsepower rating <u>10</u> hp	Well Information: well #6 1) Well Drilling Firm: <u>Lacey Well Drilling</u> 2) No. of Wells <u>1</u> 3) Depth(s) <u>40</u> feet 4) Well log is available <u>yes</u> 5) Comment: Casing: 1) Diameter <u>12</u> inches 2) Length <u>30</u> feet 3) Type <u>steel</u> Screen: 1) Type <u>stainless steel</u> 2) Length <u>11</u> feet 3) Static water level <u>3.5</u> feet Pump: 1) Make <u>Baker</u> 2) Model 3) Size 4) Capacity <u>300</u> GPM Motor: 1) Make <u>Goulds</u> 2) Model No. 3) Horsepower rating <u>7.5</u> hp
--	--

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

- | | | |
|---------------|-------------------------|---------------------------|
| 1) Type _____ | 2) Size <u>6</u> inches | 3) Length <u>525</u> feet |
| 1) Type _____ | 2) Size <u>8</u> inches | 3) Length <u>660</u> feet |

C. Works used to apply water to beneficial use:

Rural water system which serves local farmsteads within the state of Iowa.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by yes

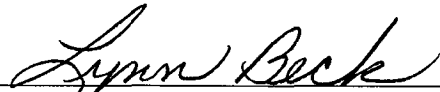
The system is in good condition with the point(s) of diversion located as follows: well #5: 2820' N and 465' E; well #6: 2760' N and 740' E of the SW corner Section 16-T99N-R48W (LOT 1). The works are capable of diverting and conveying to the place of use 1.33 cu. ft. per second and 530 ac. ft. annually of water which is to be used for a rural water system. Water has been put to beneficial use to the maximum extent as follows:

Rural water system which serves local farmsteads within the state of Iowa.

The license should be issued for 1.33 cfs and/or xx acre-feet of storage.

All structures, wells and lands on map yes

Comments or other permit(s) associated with the project:



Lynn Beck

Natural Resources Engineer Specialist
DENR, Water Rights Program

Date report completed: August 10, 2005

Well #5: Lat.: 43.39544
Long.: -93.527686

2 Well #6: Lat.: 43.395223
-96.526657

WATER RIGHT NO. 6093-3
LYON & SIOUX RURAL WATER SYSTEM
August 10, 2005

R48W



SCALE

0 330 660 1,320 1,980 2,640 Feet

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

September 9, 2005

6093-3

Lyon & Sioux Rural Water System
Reed Grafting, Operations Mgr
1107 1st Ave
Rock Rapids IA 51246

Dear Mr. Grafting:

On July 26, 2005 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 6093-3, was completed by Lynn Beck, staff engineer with our program. Your final water right document, the water license, can now be issued.

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

A 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 permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,


Karen Schlaak
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 15, 20 05

RECEIVED OF Lyon & Sicux Rural Water System, 1107 1st Ave Box 309, Rock Rapids IA 521246

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>6093-3</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No.

001911

By

Darland Ebele

Chief Engineer

gm

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6093-3

(1) Lyon & Sioux Rural Water System, 1107 1st Ave, Rock Rapids IA 51246 made Application No. 6093-3, August 10, 1998 for a water permit to divert 1.47 cubic feet of water per second (530 acre-feet annually) from groundwater (two wells), Lincoln County, South Dakota for rural water system use purposes. Permit No. 6093-3, with a priority date of March 2, 1999 was approved May 5, 1999 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 5, 2004 and for the application to beneficial use of water on or before May 5, 2008.

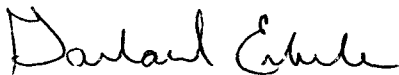
The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on December 22, 2000. The *Notice* stated the diversion system was completed on August 24, 2000 and the water placed to beneficial use on September 4, 2000.

(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. 6093-3 is issued a license, bearing a priority date of March 2, 1999 to appropriate 1.33 cubic feet of water per second (530 acre-feet annually) from groundwater (two wells) for a rural water system that serves users in the State of Iowa.

The diversion points are located: Well # 5- 2,820 feet north and 465 feet east; Well # 6 – 2,760 feet north and 740 feet east of the southwest corner of Section 16-T99N-R48W (Lot 1).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6093-3 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. 6093-3 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) pursuant to Section 74:02:04:28.
- Permit No. 6093-3 authorizes a total annual diversion of 530 acre-feet of water annually.
- The Lyon & Sioux Rural Water System shall report to the Chief Engineer the amount of water withdrawn each year from the Big Sioux:South Aquifer.



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

SEP 30 2005

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
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SEP 30 2005

6093-3

Lyon & Sioux Rural Water System
% Reed Grafting Operations Manager
1107 1st Ave
Rock Rapids IA 51246

Dear Mr. Grafting:

Enclosed is Water License No. 6093-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 001961 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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