

WATER PERMIT NO. 6112-3

Name of Applicant: Ronning Enterprises

Address: 401 E 12th St, Sioux Falls SD

Phone: 605 336-7000

Amount of Water Claimed: 0.067 add'l

Total Acres: NA

Source of Water Supply: groundwater (two wells)

Water to be used for: geothermal heating purposes

County: Minnehaha

Type of Waste Disposal System:

Location: in Sioux Falls

PRIORITY

Date Received: 11-30-1998

Fee: \$150

Corrected Application Received:

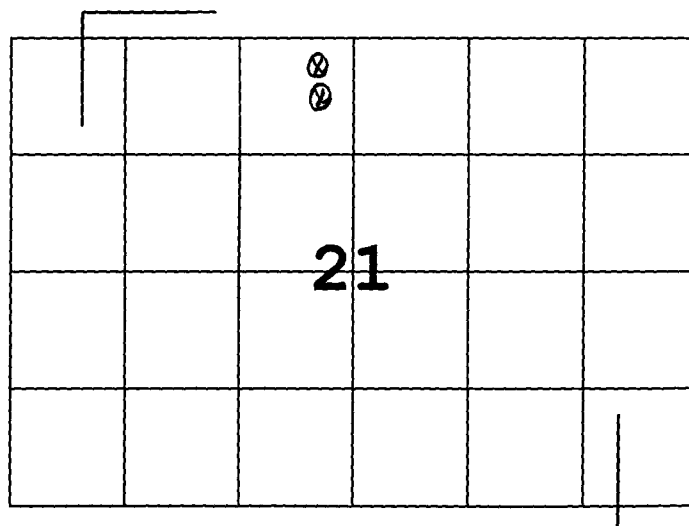
Period of Annual Use: January 1 – December 31

Remarks: For additional waer and a second well to Permit No. 5655-3

Diversion Point: NE ¼ NW ¼

Section 21-T101N-R49W

Land to be Irrigated:



Depth of Well: 248' & 265'

Well Driller: Sioux Well Drilling

Remarks:

Type of Map: plat

Prepared by: Lynn Beck

Reviewed and the Number Assigned on: 11-30-1998

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6112-3**

Date of first receipt of application November 30, 1998.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6112-3 to Ronning Enterprises, 401 E 12th St, Sioux Falls SD 57104 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. 6112-3 appropriates 0.067 cubic feet of water per second (cfs) (30 gallons per minute) by increasing the diversion rate authorized by Water Permit No 5655-3. Water Permit No. 5655-3 appropriates 0.2 cfs (90 gpm) from one well located in the NE ¼ NW ¼ Section 21-T101N-R49W. This permit authorizes an additional well 265 feet deep (Sioux Quartzite) located in the same area and increases the water appropriation from the two wells, from 0.20 cfs to 0.267 cfs.
2. The water appropriated shall be used for the purpose of supplying water for use in a geothermal heating system 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 of approval of Permit No. 6112-3 is February 22, 1999.
5. The date from which applicant may claim right is November 30, 1998.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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.

WATER MANAGEMENT BOARD

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

APR 26 1999

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6112-3</u>	(office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Argus Leader, Sioux Falls, 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.) Application for additional water and a second well to Permit No. 5655-3.

- Name of Applicant Ronning Enterprises Phone (606) 336-7000
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 401 E. 12th St., Sioux Falls State SD 57104
(Street, RR. or Box) (Zip Code)
- Amount of water claimed 0.067 add'l *CFS or 30 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Sioux Quartzite
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Well #1 210' W and 250' S and well #2 180' W and 430' S of the N1/4 corner Section 21, T101N, R49W NE1/4 NW1/4 Section 21.
County Minnehaha
- County or counties where water will be used Minnehaha
- Annual period during which water is to be used Jan. 1 through Dec. 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

This application is for 0.067 cfs additional water and a second well. Permit No. 5655-3 authorizes 0.20 cfs from one well located in the NE1/4 NW1/4 Section 21, T101N, R49W. Water use from the two wells combined is 0.267 cfs or 120 gpm (60 gpm each).

STATE OF SOUTH DAKOTA)
County of Minnehaha) 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, Slate M. Ronning, 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 19 day of November 1998
[Signature]
Notary Public

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 415931

Pierre, _____

November 30, 19 **98**

RECEIVED OF River Greenway Apartments #1, L.L.C., 401 E. 12th St., Sioux Falls, SD 57104
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 6112-3 to Appropriate Water, to construct
and to put water to beneficial use _____

150 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. 6112-3 _____

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

200 00

By _____
Chief Engineer

John Hetch (Signature)

10-85

Date _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 27, 1997

Slate Ronning
Ronning Enterprises
401 E. 12th St.
Sioux Falls SD 57104

Dear Mr. Ronning:

Please find enclosed a partially completed Water Permit Application form and instruction sheet. You will not have to provide a map as stated in item 2 on the instruction sheet, as I have already prepared one.

An inspection of Water Permit No. 5655-3 found that Ronning Enterprises uses 120 gallons of water per minute (gpm) from two wells located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, T101N, R49W. The wells produce 60 gpm each. Permit No. 5655-3 authorizes 0.20 cubic feet of water per second (cfs) or 90 gpm from one well.

This application is for the additional 30 gpm or 0.067 cfs and the second well. The fee as stated in item 5 on the instruction sheet is \$150.00 for the additional 30 gpm. Also associated with obtaining the license is the inspection fee of \$50.00. This can be paid once for both Permit No. 5655-3 and the new application. Once the application is approved an inspection is not necessary since I have already inspected the wells.

After an application has been submitted and approved and the fees paid, the permits will be licensed.

If you have any questions, please feel free to contact me.

Sincerely,

Lynn Beck
Natural Resources Engineer III
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 2, 1998

Slate Ronning
Ronning Enterprise
401 E 12th St
Sioux Falls SD 57104

Dear Mr. Ronning:

On August 27, 1997, you were sent forms for an *Application For Permit to Appropriate Water* based on an investigation for Water Permit No. 5655-3 by Lynn Beck, engineer with this office. Enclosed is a copy of that letter.

Another partially completed application form is enclosed. Please check the application for accuracy and have it signed and notarized. As stated in the August 27th letter, the required fees will be \$200.00.

Obtaining a water permit that accurately reflects your water use ultimately benefits you by protecting your right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

Sincerely,

Karen Schlaak
Environmental Scientist
Phone: (605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 18, 1998

Slate Ronning
Ronning Enterprise
401 E 12th St
Sioux Falls SD 57104

Dear Mr. Ronning:

I am writing concerning an investigation of Water Permit No. 5655-3 for Ronning Enterprises conducted on July 21, 1997 by Lynn Beck, with this office. The investigation found that an additional well had been drilled and more water was being appropriated than originally permitted.

Enclosed is a copy of the August 27, 1997 letter which specifically states why the application is necessary. Another partially completed application form is also enclosed.

Mr. Slate, please take the time to sign, notarize and return the application with the required fees of \$200.00 and therefore avoid jeopardizing your water permit. You should be aware that you will also be responsible for payment of the public notice in a local newspaper.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6112-3, Ronning Enterprises**

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. 6112-3, Ronning Enterprises, c/o Slate M. Ronning, 401 East 12th Street, Sioux Falls SD 57104.

The Chief Engineer is recommending APPROVAL of Application No. 6112-3 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 qualification:

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.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized flourish at the end.

JOHN HATCH, Chief Engineer
January 20, 1999

REPORT ON WATER PERMIT APPLICATION NO. 6112-3
for Ronning Enterprises
January 12, 1999

Water Permit Application No. 6112-3 proposes to appropriate 0.067 cfs (30 gpm) by increasing the diversion rate authorized by Water Permit No. 5655-3. Water Permit No. 5655-3 appropriates 0.2 cfs (90 gpm) from one well located in the NE 1/4 NW 1/4 of Section 21, T101N-R49W in Minnehaha County. This permit requests an additional well approximately 265 feet deep located in the same area and increases the water appropriation from the two wells, from 0.20 cfs to 0.267 cfs (120 gpm). The water is for use in a geothermal heating system.

AQUIFER - SIOUX QUARTZITE (SOUX)

The Sioux Quartzite is a locally well-fractured and jointed crystalline rock that will yield water to wells (Lindgren, 1992). The Sioux Quartzite underlies all of Minnehaha County and no estimate of water in storage is available. According to a well log submitted with the application, the top of the quartzite was encountered at 28 feet and drilling continued to a depth of 265 feet and was still in quartzite. The static water level was reported to be about 20 feet below land surface and the well was capable of producing 150 to 200 gpm using air to develop. The aquifer is confined and under artesian conditions at this site. Recharge to the aquifer is from infiltration of precipitation through joints and fractures at outcrop areas and areas overlain by permeable sediments (Putnam, 1998).

The Water Rights Program does not monitor any observation wells completed into the Sioux Quartzite in this area. There are monitoring wells completed into aquifers lying directly upon the Sioux Quartzite. Water levels for these wells (completed into quartzite wash or the Split Rock Creek Formation) do respond to climatic conditions, that is, rising during wet years (recharge) and gradually declining during dry years (Water Rights, 1999). The Sioux Quartzite aquifer water levels would respond in a similar manner.

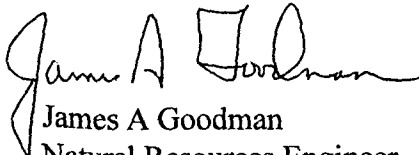
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are three existing water permits/rights which obtain water from the Sioux Quartzite aquifer within a two mile radius of this application. Interference is not a concern. All the diversion rates are relatively small and drawdown created by pumping are not expected to be significant. The diversion for this application has been in use for many years with no apparent problems.

CONCLUSIONS

1. Water is available from the Sioux Quartzite aquifer.
2. The aquifer is confined and under artesian conditions. Drawdown will result from pumping but this is not expected to be significant nor cause any adverse effects upon existing permitted users.
3. The well authorized by this application has been constructed in accordance with SD Well Construction Standards.
4. This a geothermal use of water. After extraction the water is discharged into the City of Sioux Falls storm sewer system. Apparently the City has agreed to allow this discharge.

5. Geothermal use is a beneficial use of water. However, discharging 120 gpm of water into a storm sewer does seem to be a waste of water. If possible, other methods of water use should be investigated to put the discharge to additional use or possibly inject this water back into the aquifer.

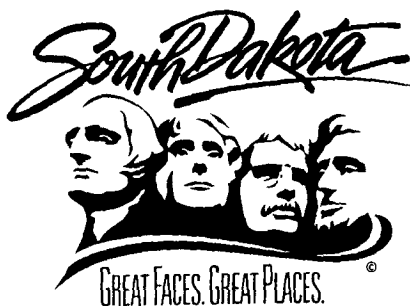

James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Lindgren, R.J., C.A. Niehus, 1992, Water Resources of Minnehaha County, South Dakota, USGS WRI 91-4101, USGS, Huron, SD, 57350.

Putnum, L.D., 1998, Hydrogeology of the Split Rock Creek Aquifer With Emphasis on Calibration of a Numerical Flow Model, Southeast Minnehaha County, South Dakota, WRI 97-4102, USGS, Rapid City, SD, 57702.

Water Rights, 1999, Unpublished Observation Well Data for Minnehaha County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.



**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.

January 25, 1999

Ronning Enterprises
%Slate M. Ronning
401 E. 12th St.
Sioux Falls, SD 57104

Dear Mr. Ronning:

Water Permit Application No. 6112-3 for geothermal heating purposes 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 Argus Leader printed at Sioux Falls, SD (Ph # (605) 331-2200). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Argus Leader
P.O. Box 5034
Sioux Falls, SD 57117-5034

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6112-3 to Appropriate Water to be published twice. Please publish the first notice on February 3, 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 Ronning Enterprises, %Slate M. Ronning, 401 E. 12th St., Sioux Falls, SD 57104 (Ph # (605) 336-7000).

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

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

No. 6112-3

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

Date _____

We are in receipt of your letter of January 25, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 6112-3 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 February 3, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6112-3 to Appropriate Water

Notice is given that Ronning Enterprises, 401 E 12th St, Sioux Falls SD 57104 has filed an application for a water permit to appropriate 0.067 cubic feet of water per second (cfs) (30 gallons per minute) by increasing the diversion rate authorized by Water Permit No. 5655-3. Water Permit No. 5655-3 appropriates 0.2 cfs (90 gpm) from one well located in the NE ¼ NW ¼ Section 21-T101N-R49W. This permit requests an additional well 265 feet deep (Sioux Quartzite) located in the same area and increases the water appropriation from the two wells, from 0.20 cfs to 0.267 cfs. The water is for use in a geothermal heating system.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6112-3 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 February 22, 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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Minnehaha) SS

I, Joan Stahle

certify that the attached printed Notice was taken

from the Argus Leader

printed and published in Minnehaha Sioux Falls

County of Minnehaha and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

2-3-99

2-10-99

Cost of Printing

\$83.45

Joan Stahle
 (Signature)

Legal Billing Specialist
 (Title)

2/10/99
 (Date Signed)



NOTICE OF APPLICATION
 NO. 6112-3 to Appropriate Water
 Notice is given that Ronning Enterprises, 401 E. 12th St., Sioux Falls, SD 57104, has filed an application for a water permit to appropriate 0.067 cubic feet of water per second (cfs) (30 gallons per minute) by increasing the diversion rate authorized by Water Permit No. 5655-3. Water Permit No. 5655-3 appropriates 0.2 cfs (90 gpm) from one well located in the NE1/4 NW1/4 Section 21-T101N-R49W. This permit requests an additional well 265 feet deep (Sioux Quartzite) located in the same area and increases the water appropriation from the two wells, from 0.20 cfs to 0.267 cfs. The water is for use in a geothermal heating system.
 Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6112-3 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

tion 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 February 22, 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, 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
 Feb. 3, 10, 1999

3792

Permit No. 5655-3 and 6112-3

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 21, 1997** made a thorough examination of the water use system constructed by **Ronning Enterprises** of **401 E 12th St., Sioux Falls SD 57104** holder of Permit No. **5655-3 and 6112-3**, bearing the priority of **April 20, 1992 and November 30, 1998** authorizing the diversion of **0.267** cu. ft. per second of the waters of **Sioux Quartzite** for **geothermal heating** purposes, in **Minnehaha** County.

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

A. Works used to divert the water:

Well #1 is 248 feet deep and well #2 is 265 feet deep. Both wells have 30 feet of 7 inch steel casing finished into the quartzite; Grundfos submersible pumps model no. 36E-831-106, 60 gpm capacity; Franklin Electric submersible motors model no. 35M5888777 rated at 5 hp.

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

unable to find information

C. Works used to apply water to beneficial use:

Geothermal heating systems for two apartment buildings.

The system is in the following condition **good**. The point of diversion is located **well #1 is 210' W and 250' S and well #2 is 180' W and 430' S all of the N¼ corner Section 21, T101N, R49W.** The works are capable of diverting and conveying to the place of use **0.267** cu. ft. per second of water which is to be used for **geothermal heating**. Water has been put to beneficial use to the maximum extent as follows:

Geothermal heating systems for two apartment buildings.

The license should be issued for **0.267** cfs.

Applicable permit qualifications have been complied with: **yes**

Exceptions to compliance are: **#**

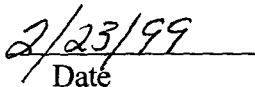
Comments: **Permit No. 5655-3 is for one well and authorizes 0.20 cfs, Permit No. 6112-3 is for an additional 0.067 cfs and the second well. The wells are from the same source and each have a capacity of 60 gpm for a combined 0.267 cfs..**



Lynn Beck

Natural Resources Engineer

DENR, Water Rights Program


Date

REPORT ON INSPECTION OF PERMIT NO. 5655-3

DATE OF INSPECTION: 7-21-97

Other permit(s) associated with the project: none

NAME & ADDRESS OF INSPECTION CONTACT: Karen Matheson

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Employee

NAME & ADDRESS OF PERMIT HOLDER: Ronning Enterprises, 401 E. 12th St., Sioux Falls SD 57104

DIVERSION POINT LEGAL LOCATION: Well #1 is located 210' W and 250' S and Well #2 is located 180' W and 430' S all of the N $\frac{1}{4}$ corner Section 21, T101N, R49W in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21.

WELL INFORMATION:

- 1) Well Drilling Firm: Sioux Well Drilling
- 2) No. of Wells 2
- 3) Depth(s) 248; 265 feet
- 4) Well logs are available yes

Casing: same for both wells

- 1) Diameter 7 inches
- 2) Length 30 feet
- 3) Type steel

Screen: No screen, well finished into the quartzite

Pump: same for both wells

- 1) Make Grundfus submersible
- 2) Model 36E-831-106
- 3) Size #
- 4) Capacity 60 GPM

Motor: same for both wells

- 1) Make Franklin Electric submersible
- 2) Model No. 35N5888774
- 3) Horsepower rating 5 hp

DISTRIBUTION LINES OR CANALS: unknown

- 1) Type # 2) Size # inches 3) Length # feet

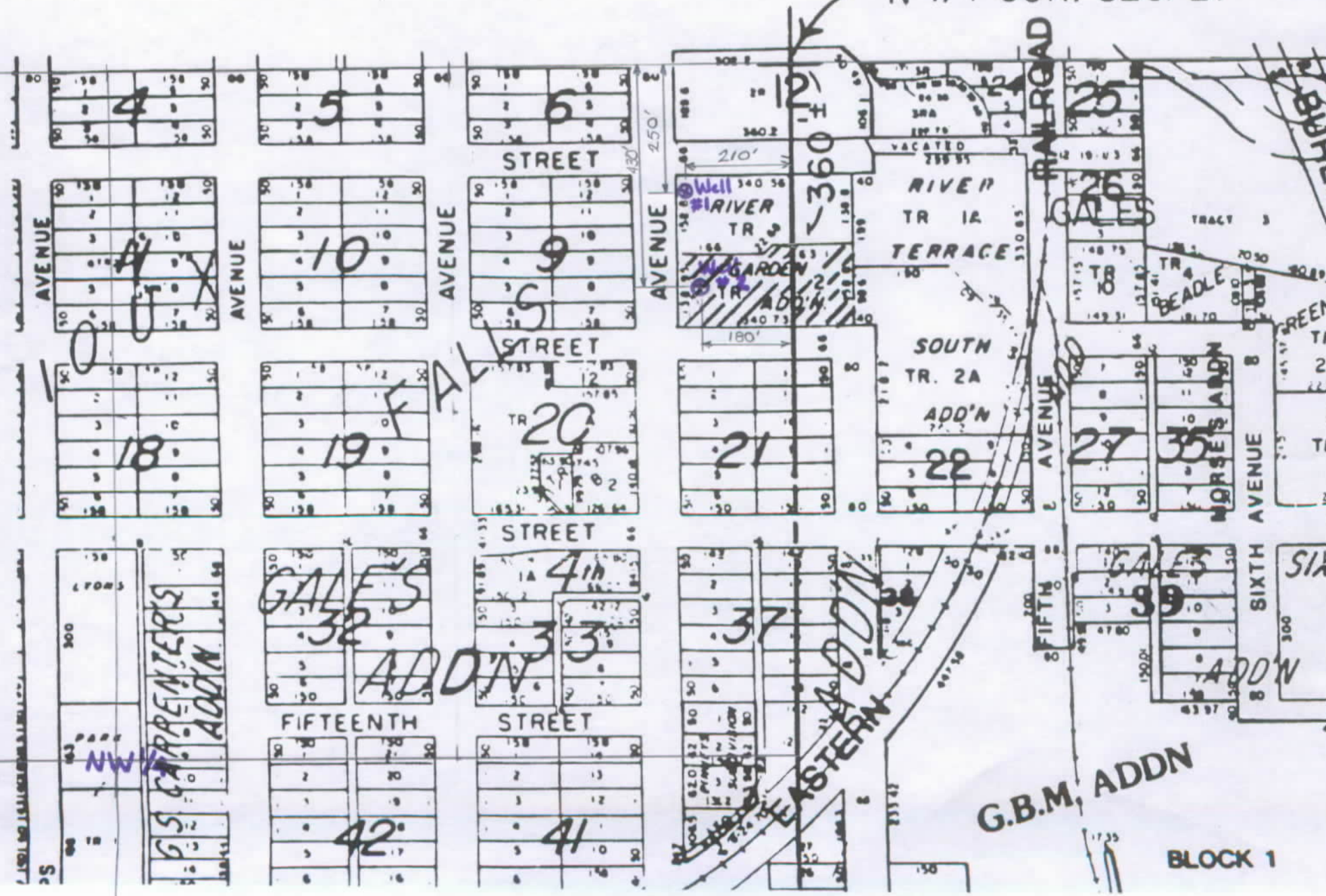
PERMIT QUALIFICATIONS AND REGULATIONS:

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

EXHIBIT I

Lynn Beck
 Lynn Beck
 Natural Resources Engineer
 DENR, Water Rights Program
 8-13-97

N 1/4 COR. SEC. 21



BLOCK 1

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6112-3

(1) Ronning Enterprises, 401 E 12th St, Sioux Falls SD 57104 made Application No. 6112-3, November 30, 1998 for a water permit to divert an additional 0.067 cubic feet of water per second (cfs) from groundwater (two wells), Minnehaha County, South Dakota for geothermal heating purposes. Permit No. 6112-3, with a priority date of November 30, 1998 was approved February 22, 1999 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 5655-3, with a priority date of April 20, 1992, authorized diversion of 0.2 cfs from one well. The applicable portions of No. 5655-3 are incorporated into this Water License No. 6112-3.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.267 cubic feet of water per second for beneficial use. The location of the diversion points are: Well # 1 – 210 feet west and 250 feet south and Well # 2 – 180 feet west and 430 feet south; all from the north quarter corner of Section 21-T101N-R49W (NE ¼ NW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for geothermal heating systems for two apartment buildings.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Ronning Enterprises, 401 E 12th St, Sioux Falls SD 57104 the holder and/or owner of Incorporated Water Right No. 6112-3 is issued a license to appropriate water, the right to use 0.267 cubic feet of water per second from groundwater (two wells) with priority dates of April 20, 1992 (0.2 cfs) and November 30, 1998 (0.067 cfs) from the locations specified in (2) of this license for the purpose of geothermal heat. This license is subject to any limitations or qualifications listed in Incorporated Water Right No. 6112-3 and subject to South Dakota State Law.



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

APR 26 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 26 1999

6112-3

Ronning Enterprises
%Slate M. Ronning
401 E. 12th St.
Sioux Falls, SD 57104

Dear Mr. Ronning:

Enclosed are Water Permit and Water License No. 6112-3. This is the final water right document completing your process of obtaining a Water Right.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6112-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

ks
enclosures

NOTE: The applicable portions of No. 5655-3 are incorporated into this Water License No. 6112-3.