

WATER PERMIT NO. 6116-3

Name of Applicant: **Falls Homes**

Address: **6701 W 12th St, Sioux Falls SD 57106**

Phone: **605 332-0002**

Amount of Water Claimed: **0.011 cfs (5 gpm)**

Total Acres: **NA**

Source of Water Supply: **groundwater**

Water to be used for: **commercial use**

County: **Minnehaha**

Type of Waste Disposal System: **connected to city's sanitary system**

Location: **in Sioux Falls**

PRIORITY

Date Received: **12-21-1998**

Fee: **\$50.00**

Corrected Application Received:

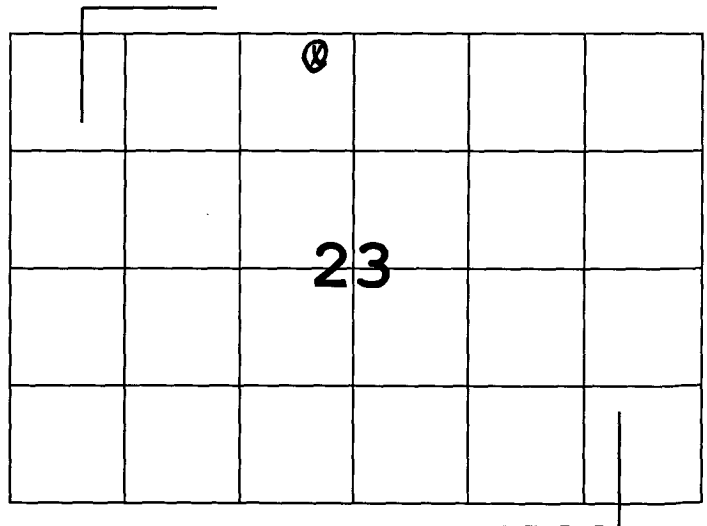
Period of Annual Use: **January 1-December 31**

Remarks:

Diversion Point: **NW ¼ NW ¼**

Sec 23-T101N-R50W

Land to be Irrigated:



Depth of Well: **54 feet**

Well Driller: **Dave Putzke Well Drilling Inc.**

Remarks:

Type of Map: **aerial photo**

Prepared by: **Jerry Harms**

Reviewed and the Number Assigned on: **12-21-1998**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6116-3**

Date of first receipt of application December 21, 1998.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6116-3 to Falls Homes, 6701 W 12th St, Sioux Falls SD 57106 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. 6116-3 appropriates 0.011 cubic feet of water per second (5 gallons per minute from one well (Big Sioux Southern Skunk Creek Aquifer) 54 feet deep located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23-T101N-R50W).
2. The water appropriated shall be used for the purpose of supplying water for commercial use 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. 6116-3 is March 1, 1999.
5. The date from which applicant may claim right is December 21, 1998.
6. One-fifth of the construction is to be completed on or before September 1, 2001.
7. All construction is to be completed on or before March 1, 2004.
8. Water is to be put to beneficial use on or before March 1, 2008.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

The City of Sioux Falls has priority right to this water under future use withdrawal permits. Water Permit No. 6116-3 is subject to their prior right if or when the city develops the reserved water supply.

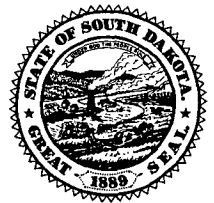
WATER MANAGEMENT BOARD

By: _____

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

MAR 12 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>6116-3</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.) _____

- Name of Applicant Falls Homes Phone 605-332-0002
(check one) ☐ Owner ☒ Tenant/lessee
Mailing Address 6701 W 12th ST. Sioux Falls State SD 57106
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.011 *CFS or 5 **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 Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
One Well. NW 1/4 of NW 1/4 Section 23 Township 101. North Range 50
West Wayne Township West 200' at the South 130 County Minnehaha
of Tract 4 of Holiday Park Addition
- County or counties where water will be used Minnehaha
- Annual period during which water is to be used Year Reound Jan 1 - 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)
Small well for office use only. Toilet stool and sink for four office personnell.

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, David Horsch, 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.

Applicant's signature David Horsch

Subscribed and sworn to before me this 18th day of December 19 98

My Commission Expires
Dec. 16, 2003

James Shuck
Notary Public signature



x Janytham - Drilling Job
12/15/98

FALLS HOMES
6701 WEST 12TH ST.
SIOUX FALLS, S.D.

WELL
LOCATION

X

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
On applicants property _____ None _____ On property owned by others _____ 300 Yards _____

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 _____ Hayward _____ Sanitary System

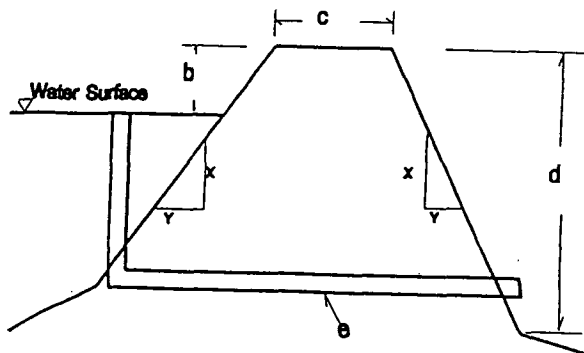
3. Dugout Information

- 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

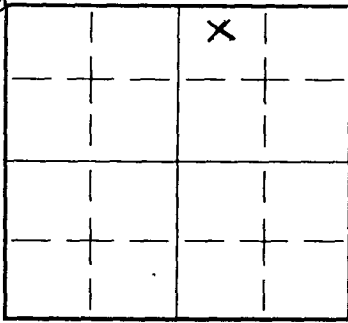
SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location West 1/2 NW 1/4 Sec 23 Twp 101N Rg 50W
 County Wapara Township North

Please mark well location with an "X"
West 200 feet of
the South 135 feet
of TRACT 4 of Holiday
Park Addition
 Well Completion Date

10-28-98



LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? None ft. from None (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
200 LB/FT 5 IN 0 FT 54 FT 9 IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN

GROUTING DATA

Grout Type Portland 1# No. of Sacks 10 Grout Weight _____ lb./gal From 6 ft To 45 ft
 _____ lb./gal _____ ft _____ ft

Describe grouting procedure pump w/ tremie line
6 gallons per sack

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter 5 IN Length 5 FEET

Material Johnson Plastic Screen

Slot Size 12 Set From 49 Feet to 54 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: Chlorine

Laboratory sent to for water quality analysis

S Falls Lab

Well Owner: Bill Hinks Sr.
 Business Name: 6701 West 12
 Address: Falls Homes
Sioux Falls - 57107

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Soil</u>	<u>0</u>	<u>2</u>
<u>Dry Gravel</u>	<u>2</u>	<u>16</u>
<u>Clay</u>	<u>16</u>	<u>48</u>
<u>Fine Sand</u>	<u>48</u>	<u>54</u>
<u>Granite</u>	<u>54</u>	

STATIC WATER LEVEL 19 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: AIR
☐ Bailed
☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped

_____ ft. After _____ Hrs. pumped

If pump installed, pump rate _____

REMARKS

This well was drilled under license # 439

And this report is true and accurate.

Drilling firm Dave Putke Well Drilling Inc

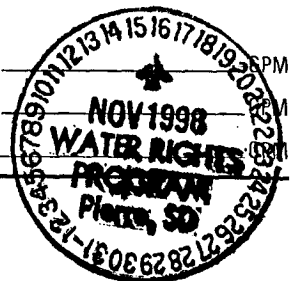
Signature of License Representative:

Dave Putke Inc

Signature of Well Owner or Equitable Property Holder:

David Hensch

Date: 5-28-98



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 415980

Pierre, December 21, 19 98

Modern Housing, Inc. 6701 W 12th, Sioux Falls SD 57106

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

Fee for Application for Permit No. <u>6116-3</u> 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>6116-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	100 00

By

Chief Engineer

JOHN HATCH

(KS)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 24, 1998

Bill Hinks Sr.
Falls Homes
6701 West 12th
Sioux Falls SD 57107-66

Dear Mr Hinks:

A well driller's report filed by Dave Putzke Well Drilling, Inc. shows they recently completed a new well for your business. Based on the information in the report, you may need a water permit for this water use.

1. According to state law, a water permit is needed for any water use except for reasonable, private domestic use. Examples of commercial uses that require a water rights permit are: truckstops; motels; restaurants; bars; clubs; tourist attractions; campgrounds or any other business operation.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Is Falls Homes a mobile home park? The location of this well appears to be in or near the same area as Water Right No. 5729-3 held by Holiday Mobile Park. Our files indicate that Water Right No. 5729-3 authorizes 0.33 cubic feet of water per second from two wells located in the W 1/4 NW 1/4 Section 23-T101N-R51W.

Enclosed are application forms and instruction sheet to apply for a water permit. The completed forms with the application fee and map can be returned to the "Water Rights Program, 523 E. Capitol, Pierre, SD 57501." Please respond by January 1, 1999.

If you believe your water use does not require a water permit or that you have an existing permit, or if help is needed completing the application forms, please contact Ron Duvall or me at (605) 773-3352. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1999

Lyle D. Johnson, Public Works Director
City of Sioux Falls
224 W. 9th Street
Sioux Falls, SD 57102

Dear Mr. Johnson:

Falls Homes and Prairie Green each submitted a water right permit application near Sioux Falls. Enclosed is a copy of the notice of hearing, report and recommendation for each application.

Falls Homes proposes to appropriate water from the Big Sioux Southern Skunk Creek Aquifer. The notice of hearing is scheduled to be published February 11 and 18, 1999, in the Argus Leader.

Prairie Green, Inc. proposes to appropriate water from Sioux Quartzite. The notice of hearing for this application is scheduled to be published February 11 and 18, 1999 in the Sioux Valley News.

Please contact Jim Goodman or myself at (605) 773-3352 if you have any questions.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures

REPORT ON WATER PERMIT APPLICATION NO. 6116-3
for Falls Homes
January 25, 1999

Application No. 6116-3 proposes to appropriate 0.011 cfs (5 gpm) from one well approximately 54 feet deep located in the NW 1/4 NW 1/4 of Section 23, T101N-R50W in Minnehaha County. The water is for commercial use at the business office.

AQUIFER - BIG SIOUX SOUTHERN SKUNK CREEK (BS-SSC)

The Big Sioux Southern Skunk Creek is a surficial outwash (sand and gravel) which is under predominantly water table conditions. The Skunk Creek aquifer underlies 43 square miles and contains an estimated 115,000 acre feet of water in storage in Minnehaha County (Lindgren, 1992). The Big Sioux Southern Skunk Creek is a management unit which underlies about 40 percent of the area of the Skunk Creek aquifer in Minnehaha County. Ground water movement is from northwest to southeast across the area of this application. The aquifer is hydraulically connected to Skunk Creek which acts a recharge/discharge zone for the aquifer. A well log filed with this application indicates the top of the aquifer was encountered at a depth of 48 feet and continued to a depth of 54 feet all below land surface. The completed well had a static water level of 19 feet below land surface. This well is completed in accordance with SD Well Construction Standards.

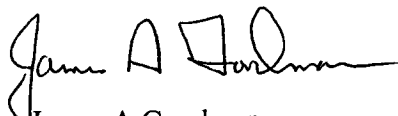
The Water Rights Program monitors an observation well, MA-80Y, which is completed into the Big Sioux Southern Skunk Creek aquifer and located within one-quarter mile of this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. A hydrograph for this well is included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1999).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing Water Right is No. 5729-3 and well #2 is located about 350 feet southwest of the well for this application. Interference is not a concern. Drawdown created by pumping at the requested rate will not be significant.

CONCLUSIONS

1. Water is available from the Big Sioux Southern Skunk Creek aquifer.
2. Interference is not a concern.
3. Use of this permit may be subject to the City of Sioux Falls which holds Future Use No. 449-3 for water from the aquifer. The size of the future use reservation is such that if the City of Sioux Falls fully developed the water supply it would approach the estimated average annual recharge to the aquifer.
4. The well for this application has been drilled and completed in accordance with SD Well Construction Standards.
5. Wastewater is disposed of through the city sanitary system.

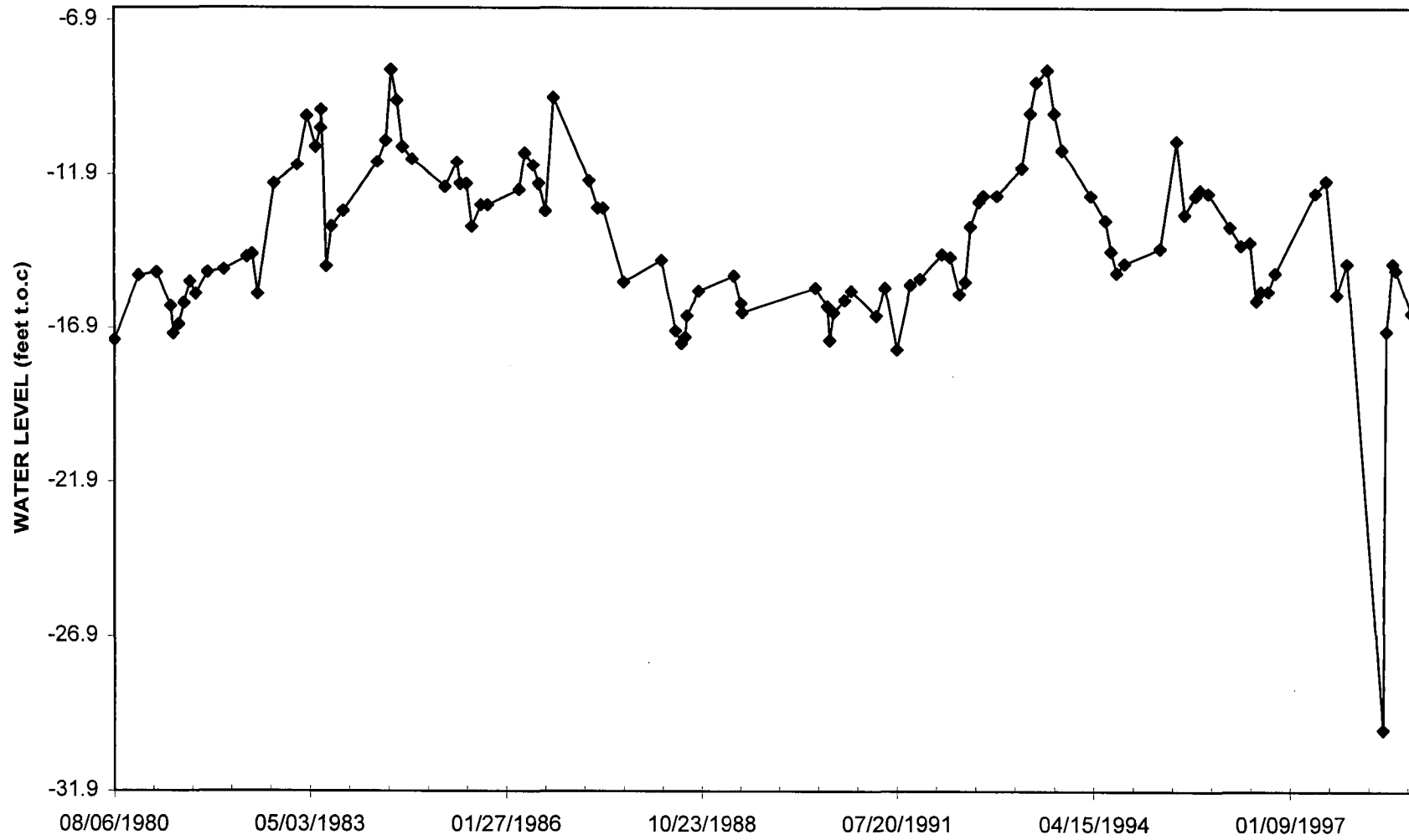

James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

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

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

**WATER RIGHTS' OBSERVATION WELL
MA-80Y**



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6116-3, Falls Homes**

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. 6116-3, Falls Homes, c/o David Hoersch, 6701 West 12th Street, Sioux Falls SD 57106.

The Chief Engineer is recommending APPROVAL of Application No. 6116-3 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 City of Sioux Falls has priority right to this water under future use withdrawal permits. Water Permit No. 6116-3 is subject to their prior rights if or when the city develops the reserved water supply.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

JOHN HATCH, Chief Engineer
February 3, 1999



**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.

February 4, 1999

Falls Homes
%David Hoersch
6701 W. 12th St.
Sioux Falls, SD 57106

Dear Mr. Hoersch:

Water Permit Application No. 6116-3 for commercial 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 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

February 4, 1999

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6116-3 to Appropriate Water to be published twice. Please publish the first notice on February 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 Falls Homes, %David Hoersch, 6701 W. 12th St., Sioux Falls, SD 57106 (Ph # (605) 332-0002).

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
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

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

No. 6116-3

Date _____

We are in receipt of your letter of February 4, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 6116-3 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 11, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6116-3 to Appropriate Water

Notice is given that Falls Homes, %David Hoersch, 6701 W 12th St, Sioux Falls SD 57106 has filed an application for a water permit to appropriate 0.011 cubic feet of water per second (5 gallons per minute) from one well (Big Sioux Southern Skunk Creek Aquifer) 54 feet deep located in the NW ¼ NW ¼ Section 23-T101N-R50W for commercial use at the business office.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6116-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 1, 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)
) SS
County of Minnehaha)

I, Joan Stahl

certify that the attached printed Notice was taken

from the Argus Leader

printed and published in Sioux Falls

County of Minnehaha and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Feb 11, '99

Feb 18, '99

Cost of Printing _____

Joan Stahl
(Signature)

Legal Billing Specialist
(Title)

(Date Signed)

NOTICE OF APPLICATION
NO. 6116-3 to Appropriate Water
Notice is given that Falls Homes,
%David Hoersch, 6701 W. 12th St.,
Sioux Falls, SD 57106 has filed an
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filed opposing the application or the
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the Chief Engineer's recommenda-
tion. If a petition opposing the appli-
cation or contesting the recommen-

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is "Water Rights Program, Foss
Building, 523 E. Capitol, Pierre, SD
57501 (605) 773-3352" and the ap-
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must include a statement de-
scribing the petitioner's interest in
the application, the petitioner's rea-
sons 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. Myer
Secretary
Department of Environment and
Natural Resources
Feb. 11, 18, 1999
14827





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAR 12 1999

Falls Homes
%David Hoersch
6701 W. 12th
Sioux Falls, SD 57106

Dear Mr. Hoersch:

Enclosed is Water Permit No. 6116-3 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

Form 10

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date 3/15/99

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

FROM: Falls Homes
(name)
6701 W 12th St.
(address)
Sioux Falls, SD 57106 605-332-0002
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6116-3 states that the water use system is to be constructed by
3/1/2004, and water is to be put to beneficial use by 3/1/2008.
(date) (date)

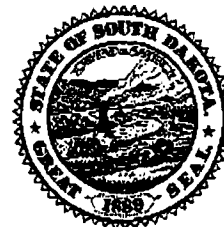
The water use system was completed on 3/1/99.
(date)

Applying the water to beneficial use was completed on 3/2/99.
MS (date)

You may schedule an investigation so that the water license may be issued.

David Hoersch
(signature)

7-98



Permit No. 6116-3
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, November 22, 2004, made a thorough examination of the water use system constructed by Falls Homes of 6701 W 12th Street, Sioux Falls, SD 57106 holder of Permit No. 6116-3, bearing the priority of December 21, 1998 authorizing the diversion of 0.011 cu. ft. per second of the waters of Big Sioux Southern Skunk Creek Aquifer for commercial purposes, in Minnehaha County.

Inspection contact & relationship **Bruce Wohlwend – (605) 338-1111 or 332-0002**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Dave Putzke Well Drilling Inc.
- 2) No. of Wells 1
- 3) Depth(s) 54 feet
- 4) Well log is available yes
- 5) Comment:

Casing:

- 1) Diameter 5 inches
- 2) Length 49 feet
- 3) Type pvc

Screen:

- 1) Type plastic Johnson Screen
- 2) Length 5 feet
- 3) Static water level 19 feet

Pump & Motor:

- 1) Make Monitor Pitless
- 2) Capacity 5 GPM

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

- 1) Type plastic
- 2) Size 2 1/2 inches
- 3) Length 15 feet

C. Works used to apply water to beneficial use: Water supply for office.

D. Compliance with Permit Requirements:

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

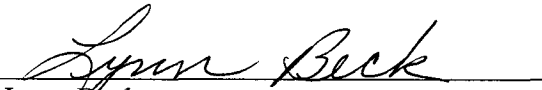
The system is in good condition with the point(s) of diversion located as follows: 150' S and 1040' E of the NW corner of Section 23-T101N-R50W. The works are capable of diverting and conveying to the place of use 0.011 cu. ft. per second of water which is to be used for commercial purposes. Water has been put to beneficial use to the maximum extent as follows:

Water supply for office.

The license should be issued for 0.011 cfs.

All structures, wells and lands on map yes

Comments or other permit(s) associated with the project: **none**


Lynn Beck

Natural Resources Engineer Specialist
DENR, Water Rights Program

Date report completed: February 7, 2005

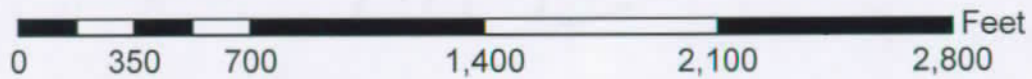
WATER RIGHT NO. 6116-3 FALLS HOMES

T101N



R50W

SCALE

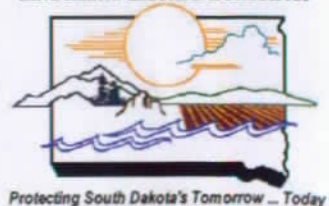


Lynn Beck

Lynn Beck
Natural Resources Engineer Specialist
DENR, Water Rights Program
January 20, 2005



South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6116-3

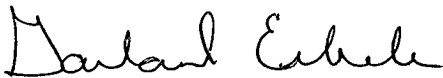
(1) Falls Homes, 6701 W 12th St, Sioux Falls SD 57106 made Application No. 6116-3, December 21, 1998 for a water permit to divert 0.011 cubic feet of water per second from groundwater (one well), Minnehaha County, South Dakota for commercial use purposes. Permit No. 6116-3, with a priority date of December 21, 1998 was approved March 1, 1999 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 1, 2004 and for the application to beneficial use of water on or before March 1, 2008.

(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. 6116-3 is issued a license, bearing a priority date of December 21, 1998 to appropriate 0.011 cubic feet of water per second from groundwater (one well) for commercial use purposes.

The diversion point is located: 150 feet south and 1,040 feet east of the northwest corner of Section 23-T101N-R50W (NW ¼ NW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6116-3 including the following now applicable qualification:

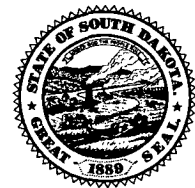
- The City of Sioux Falls has priority right to this water under future use withdrawal permits. Water Permit No. 6116-3 is subject to their prior right if or when the city develops the reserved water supply.



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

APR 19 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

APR 19 2005

6116-3

Falls Homes
6701 W 12th St
Sioux Falls SD 57106

Dear Sir:

Enclosed is Water License No. 6116-3. This is the final water right document completing your process of obtaining a Water Right.

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 30, 2024

6116-3

Exchangeright Net Leased, Portfolio 25 DST
PO Box 60308
Pasadena CA 91116

To whom it may concern:

During a recent review of water rights appropriating from the Big Sioux: Southern Skunk Creek Aquifer, it was found that the property tied to Water Right No. 6116-3 may have been sold to you. Presently, Water Right No. 6116-3 is held in the name of Falls Homes.

Water Right No. 6116-3 authorizes the diversion of 0.011 cubic feet of water per second (approx. 5 GPM) from one well for commercial use. The well and facility are described as being located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, T101N, R50W, Minnehaha County, South Dakota. (see enclosed aerial image and file map for reference)

With this letter I am hoping to confirm that water is or is not being put to beneficial use as was authorized by the water right. Is Falls Homes still operating at this location? Are you aware of a well on or near the property?

Pursuant to SDCL 46-5-37, any permit or water rights not put to beneficial use for a period of 3 or more years, are subject to cancellation due to abandonment or forfeiture. Excuse for non-use approved by Administrative Rules 74:02:01:37.2 allows for the well to be maintained as a backup water source or emergency fire prevention, so long as the well is in working order and equipped for immediate use.

If the water right is being actively exercised, or maintained for fire prevention, a transfer of ownership and fee in the amount of \$50.00 would be required. For your convenience I have enclosed a partially completed form and postage paid envelope.

If the water right has not been maintained, we ask that you inform our office so that we may schedule it for cancellation before the SD Water Management Board.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

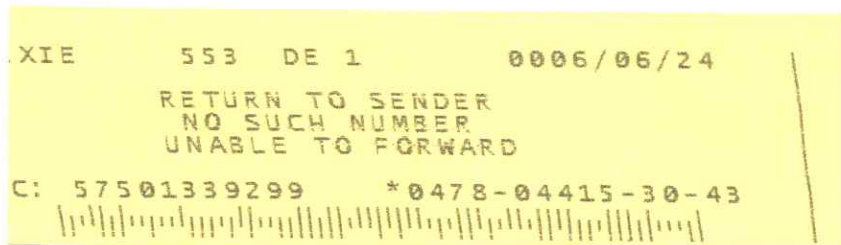
Cc: Dollar General, 6705 W 12th St, Sioux Falls SD 57106
Falls Homes, 6701 W 12th St, Sioux Falls SD 57106

6116-3

May 30, 2024 letter regarding Water Right No. 6116-3 was mailed to Exchangeright Net Leased

Cc: Falls Homes (owner of record)

Copy sent to Falls Homes was returned in the mail 06/10/2024



Amelia Dewell

6/10/24