

WATER PERMIT NO. 6137-3

Name of Applicant: Our Home, Inc.

Address: 360 Ohio SW, Huron SD 57350

Phone: 605 352-4368

Amount of Water Claimed: 0.088 cfs (40 gpm)

Total Acres: NA

Source of Water Supply: groundwater (two wells)

Water to be used for: institutional use County: Beadle

Type of Waste Disposal System: connected with the City of Huron

Location: 1 mile southeast of Huron

PRIORITY Date Received: 4-13-1999

Fee: \$50.00

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: Increases the diversion rate authorized by Water Right No. 5744-3 from 10 gpm to 25 gpm and authorizes 1 add'l well for 25 gpm.

Diversion Point: SW ¼ SE ¼

Section 10-T110N-R61W

Land to be Irrigated: NA

Depth of Well: 220 feet deep

Well Driller: Huron Drilling, Inc.

Remarks:

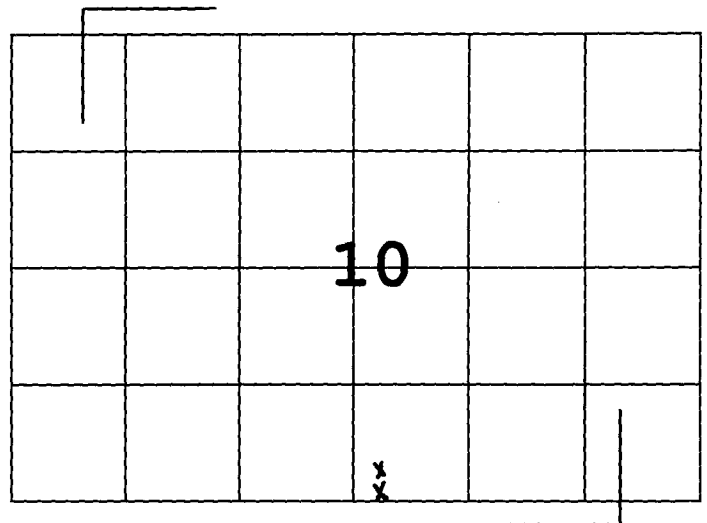
Type of Map: aerial

Prepared by: Carol Ato, FSA

Reviewed and the Number Assigned on: 4-13-1999

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 6137-3**

Date of first receipt of application April 13, 1999.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6137-3 to Our Home, Inc., 360 Ohio SW, Huron SD 57350 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. 6137-3 appropriates an additional 0.077 cubic feet of water per second (cfs) [35 gallons per minute] by increasing the diversion rate authorized by Water Right No. 5744-3. This permit also authorizes one additional well. Water Right No. 5744-3 appropriates 0.033 cfs from one well (Niobrara Formation) 220 feet deep located in the SW¼ SE¼ Section 10-T110N-R61W. The new well is also to be located in the SW¼ SE¼ Section 10-T110N-R61W. Water Right No. 5744-3 and Water Permit No. 6137-3, combined, appropriate a total of 0.11 cfs (50 gpm) from the two wells as follows:

	Water Right No. 5744-3	Water Permit No. 6137-3	Total
Existing Well	0.033 cfs (15 gpm)	0.022 cfs (10 gpm)	0.055 cfs (25 gpm)
New Well	n/a	0.055 cfs (25 gpm)	0.055 cfs (25 gpm)
Appropriation	0.033 cfs (15 gpm)	0.077 cfs (35 gpm)	0.11 cfs (50 gpm)

2. The water appropriated shall be used for the purpose of supplying water for institutional use and fire protection purposes 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. 6137-3 is June 7, 1999.
5. The date from which applicant may claim right is April 13, 1999.
6. One-fifth of the construction is to be completed on or before November 7, 2001.
7. All construction is to be completed on or before June 7, 2004.
8. Water is to be put to beneficial use on or before June 7, 2008.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

(continued)

Water Permit No. 6137-3

Our Home, Inc.

Page 2

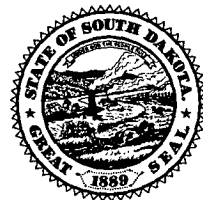
2. The additional well authorized by Permit No. 6137-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

WATER MANAGEMENT BOARD

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

AUG 6 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	(office use only) No. <u>6137-3</u> Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>
	Newspaper <u>The Plainsman, Box 1278, Huron 57350 (352-6401)</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 Right No. 5744-3

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) Increases the diversion rate authorized by Water Right No. 5744-3 from 10 gpm to 25 gpm and authorizes one additional diversion point for an additional 25 gpm. Total of 50 gpm from the two wells

- Name of Applicant Our Home, Inc. Phone 605 352-4368
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 360 Ohio SW, Huron State SD 57350
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.077 ~~1000~~ *CFS or (add'l) 35 ~~100~~ **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 groundwater (two wells)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Existing well - SW 1/4 SE 1/4
Sec 10-T110N-R61W New well - SW 1/4 SE1/4 of Section 10-T110N-R61W
County Beadle
- County or counties where water will be used Beadle
- Annual period during which water is to be used January 1 - December 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

For use at the home and for fire protection.

STATE OF SOUTH DAKOTA)
County of Beadle) 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, Steve Gubbrud, 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 Steve Gubbrud
Subscribed and sworn to before me this 12th day of April 19 99

Renae L. Klinkel
Notary Public signature

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 Thickness _____ 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 _____ On property owned by others _____

2. Wastewater Disposal System Information

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

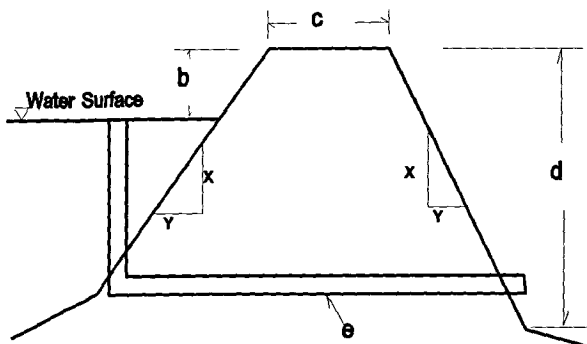
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416092

Pierre, April 13, 19 99

Our Home, Inc., 360 Ohio SW, Huron SD 57350

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

Fee for Application for Permit No. <u>6137-3</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>6137-3</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 John Hatch (KS)
Chief Engineer

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

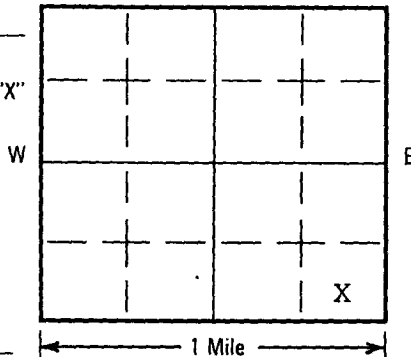
Location SW SE SW 1/4 Sec 10 Twp 110 Rg 61

County

Beadle

North

Please mark well location with an "X"



Well Completion Date

9-16-98

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 200 ft. from septic (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
<u>250</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>220</u> FT	<u>10</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>Portland</u>	<u>20</u>	_____ lb./gal	<u>0</u> ft	<u>120</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5 IN Length 60 FEETMaterial PVCSlot Size 25 Set From 160 Feet to 220 FeetOther information Eau Claire gravel pack 60-65chlorinatedWAS A PACKER OR SEAL USED? ☒ YES ☐ NOIf so, what material? BentoniteDescribe packer(s) and location? 120' - 150'

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: HTH

Laboratory sent to for water quality analysis

Pierre, SDWell Owner: Our Home, Inc.

Business Name: _____

Address: RR 3, Box 156
Huron, SD 57350

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
top soil	0	5
yellow clay	5	20
blue clay	20	80
sand & gravel	80	110
shale	110	160
chalk	160	220

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: compressed air
☐ Bailed _____
☐ Other _____
Pumping Level Below Land Surface
34 ft. After 12 Hrs. pumped 50 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____

REMARKS

This well was drilled under license # 94

And this report is true and accurate.

Drilling firm Huron Drilling, Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

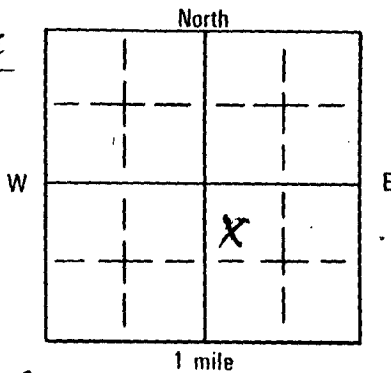
Date: 9-16-98

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SW 1/4 Sec 10 Twp 10 Rg 61County DeSoto

Please mark well location with an "X"

Well Completion Date MAY 19, 92

PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>220</u> FT	<u>8 5/8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 0 - 120 FEETWhat is grouting material? DeSoto CementIf cement, number of sacks? 20Describe grouting procedure TRICOR Pipe

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5 IN Length 60 FEETMaterial PVCSlot Size 25 Set From 160 Feet To 220 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

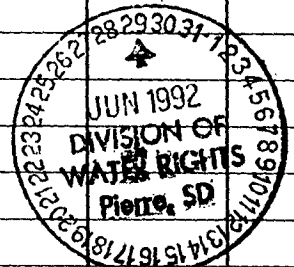
Was a packer or seal used? ☒ YES ☐ NOIf so, what material? DeSotoDescribe packer(s) and location? 30' - 120'Was well disinfected upon completion? ☒ YES ☐ NOExplain HTHBacteriological analysis ☒ YES ☐ NOLaboratory sent to Pierre, S.D.

Well Owner:

Name Dea Anne LeeAddress RR 3 Box 156Well Log: Ann, S.D. Depth _____

Formation _____ From _____ To _____

<u>Top Soil</u>	<u>0</u>	<u>5</u>
<u>Yellow Clay</u>	<u>5</u>	<u>20</u>
<u>Black Clay</u>	<u>20</u>	<u>80</u>
<u>Sand Gravel</u>	<u>80</u>	<u>120</u>
<u>Silt</u>	<u>120</u>	<u>160</u>
<u>Chalk</u>	<u>160</u>	<u>220</u>

STATIC WATER LEVEL 30 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Compressed Air☐ Bailed Describe: _____☐ Other _____

Pumping Level Below Land Surface

105 ft. After 6 Hrs. pumped 25 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 94

And this report is true and accurate.

Drilling firm Wagon Drilling Inc

Signature of License Representative: _____

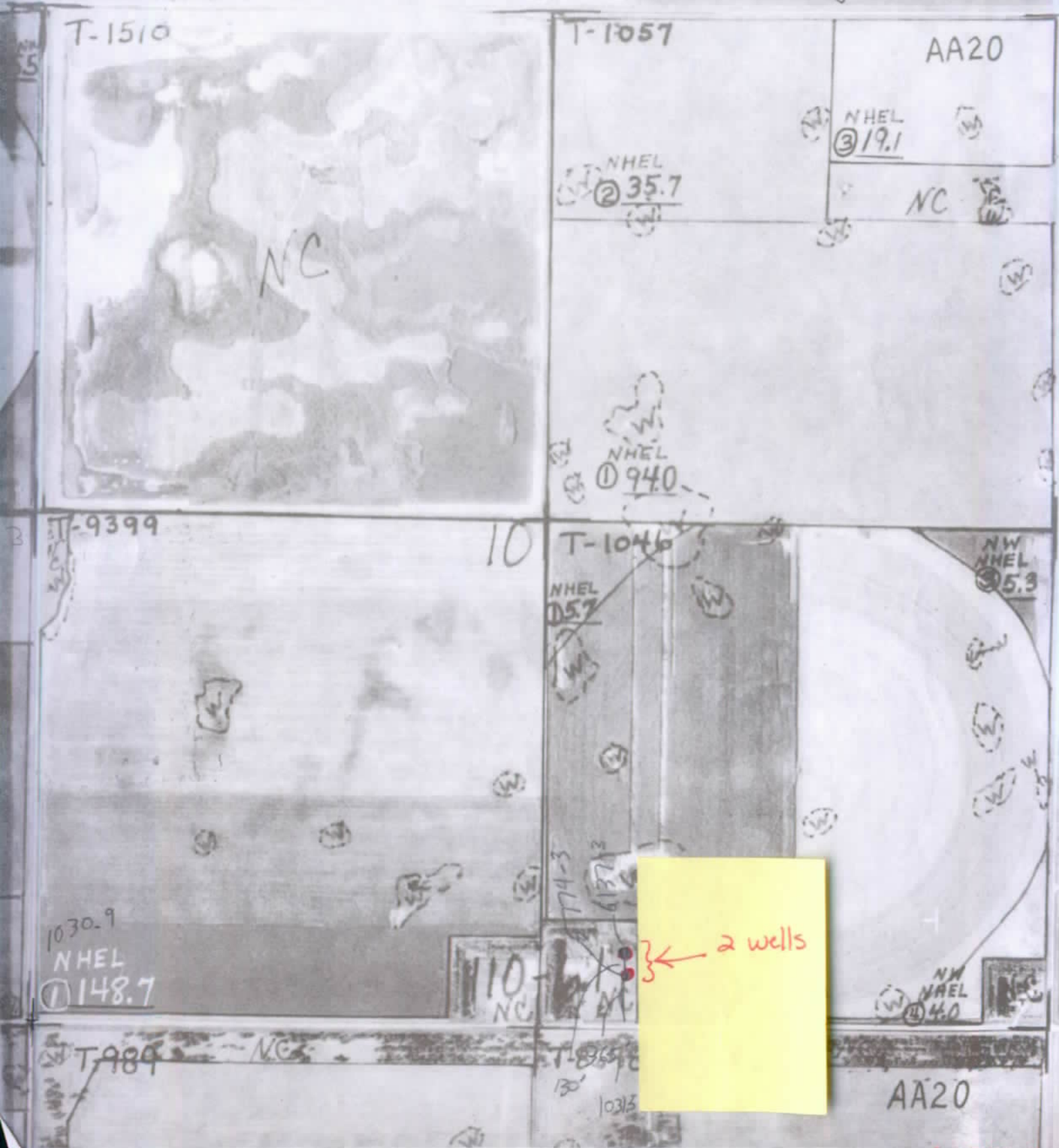
Signature of Well Owner: _____

Date MAY 19, 92

1999

Beadle County FSA
1386 Lincoln SW Suite A
Huron, SD 57350

Certified by Carol Olo
Program Technician



6137-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 20, 1998

Our Home, Inc.
RR 3 Box 156
Huron SD 57350

Dear Sir:

I am writing regarding a water right permitting issue related to a well driller's report recently filed by Huron Drilling, Inc. The report shows a new well was completed for Our Home, Inc. on September 16, 1998. A review of our files indicates that Our Home Inc. holds Water Right No. 5397-3 for 25 gallons per minute (gpm) from one well constructed into the Floyd East James Aquifer, 118 feet deep located in the SE ¼ SW ¼ Section 10-T110N-R61W and Water Right No. 5744-3 for 15 gpm from one well constructed into the Niobrara Formation, 220 feet deep located in the SW ¼ SE ¼ Section 10-T110N-R61W.

The well drillers report shows the new well is constructed to a depth of 220 feet into the Niobrara Formation. Is this new well an additional water source for the facility or a replacement well for an existing well that has failed?

Does the peak diversion rate from the two, 220 feet deep wells exceed 15 gpm? If so, a new permit application will be required for the additional diversion rate above 15 gpm. If not, we may be able to allow an additional diversion point without going through the formal application process, if the Chief Engineer can make a finding that there is not an increase in the potential for interference with existing diversions.

Please let us know the peak diversion rate. If you have any questions or need a water permit application form, please contact Eric Gronlund or me. We will assist you in any way possible.

Sincerely,

Karen Schlaak
Water Rights Program
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

February 25, 1999

Our Home, Inc.
RR 3 Box 156
Huron SD 57350

Dear Sir:

I am writing to follow-up my October 20, 1998 letter regarding a well driller's report filed with our office by Huron Drilling, Inc. indicating they completed a new well for you in September, 1998. Enclosed is a copy of that letter.

As stated in the previous letter, please let us know the peak diversion rate from the two wells. If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

Water Rights Program - File Documentation

NAME: Doug Osberg, Huron Drilling, Inc.

ADDRESS: Huron SD

DATE: 3-26-1999 **COUNTY:** Beadle **TELEPHONE:**

RE: Well drillers report submitted for Our Home, Inc.

COMMENTS:

Doug Osberg called regarding my letter to Our Home Inc. and the new well they had drilled. Mr. Osberg stated the shallow well authorized by No. 5397-3 is not being used because of the poor quality of water. It still has a pump in it. No. 5744-3 authorizes 15 gpm from a deeper well in the Niobrara Formation.

For insurance purposes Our Home Inc. has to have capabilities of pumping 50 gpm for fire protection.

They would like to increase the amount of water authorized by No. 5744-3 from 15 gpm to 25 gpm. A second Niobrara well was drilled. They would like to replace the old well for the new well. I said being the old and new wells were in two different formations, they would have to apply for another permit for 25 gpm from the new well.

Mary Walz is the contact person for Our Home, Inc. Steve Gubbrud is the owner and wants to make sure they have whatever permits are required.

Mr. Osberg stated he had told Mr. Gubbrud that if they were not going to use the shallow well it would need to be plug according to standards.



Karen Schlaak
Environmental Scientist



March 29, 1999

Our Home, Inc.
Mary Walz
360 Ohio SW
Huron SD 57350

Dear Ms. Walz:

Based on phone conversations with Doug Osberg, Huron Drilling Inc. and you, enclosed is a partially completed *Application for a Permit to Appropriate Water* for institutional use. This application is based on the additional well that was drilled for Our Home, Inc.

Please review the enclosed application and make any necessary changes. The other requirements to complete the application are listed below.

- On Item No. 4, complete the location of the new well. Mr. Osberg stated the new well was approximately 100 feet north of the existing well which would mean the new well is located in the SW ¼ SE ¼ of Section 10-T110N-R61W (same location as the existing well authorized by Water Right No. 5744-3).
- On the Supplemental Information sheet, complete Item No. 2. regarding the wastewater disposal information.
- The application needs to be signed and notarized
- A map showing the location of the well in relation to a government section corner or quarter corner. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. aerial photo-local NRCS office).
- The application filing fee will be \$50. In addition to the application filing fee, the Water Rights Program now collects the \$50 licensing fee at the time of filing. Please submit a total of \$100.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
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

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit No. 6137-3, Our Home, Inc.

ADDRESS: COUNTY:

DATE: June 14, 1999 TELEPHONE:

RE: Issuance of Water Permit No. 6137-3, Our Home, Inc.

COMMENTS:

In reviewing the draft water permit for Our Home it appears there is a discrepancy in the amount of the additional appropriation of water. The application was public noticed for a total additional appropriation of 0.088 cfs (40 gpm). Part of this appropriation (15 gpm) was to be diverted from the existing well to bring the total diversion rate from this well to 25 gpm. Water Permit No. 5744-3 appropriates 15 gpm from this well, however, the new application stated Permit No. 5744-3 authorized 10 gpm and they wanted to increase the appropriation by 15 gpm to 25 gpm from this well. The other part of the application was for an appropriation of 25 gpm from a new well.

The error which was not caught by Water Right staff when reviewing the application caused the application to be public noticed for 5 gpm more than what is necessary. The application clearly states the total amount to be diverted from both wells is 50 gpm. It was determined the best way to handle this issue is to accurately reflect the quantity the facility will use. For that reason the total appropriation of water is being decreased by 5 gpm (0.011 cfs) to 0.077 cfs. This amount of water is less than what was public noticed so adequate public notice was given.

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 Lundberg

REPORT ON WATER PERMIT APPLICATION NO. 6137-3
for Our Home, Inc.
May 4, 1999

Application No. 6137-3 proposes to appropriate an additional 0.088 cfs (40 gpm) by increasing the diversion rate authorized by Water Right No. 5744-3 and authorizing an additional well. Water Right No. 5744-3 appropriates 0.033 cfs from one well approximately 220 feet deep located in the SW 1/4 SE 1/4 of Section 10, T110N-R61W. This application proposes to increase the water appropriation from the existing from 10 gpm to 25 gpm and to appropriate 0.055 cfs (25 gpm) from an additional well approximately 220 feet deep located in the SW 1/4 SE 1/4 of Section 10, T110N-R61W in Beadle County. The two wells combined appropriate a total of 0.11 cfs (50 gpm). The water is for institutional use and fire protection purposes.

AQUIFER - NIOBRARA FORMATION (NBRR)

The Niobrara Formation consists of a light to dark gray speckled marl with some shale beds. The speckled nature of the marl is due to shells of foraminifera contained in the rock. The maximum thickness of the Niobrara in Beadle County is 110 feet (Hedges, 1968). The Niobrara underlies 1249 square miles and no estimate of water in storage is available (Hedges, 1982). The aquifer is buried beneath the Floyd East James aquifer, till, and Pierre shale at this site. The aquifer is confined and under artesian conditions in this area. Ground water in the Niobrara is obtained from fractures and possible hydraulic connection with the overlying Floyd East James aquifer in other areas of the county.

The driller's log for this site indicates, yellow clay to a depth of 20 feet (oxidized till), blue clay from 20 to 80 feet (unoxidized till), sand and gravel from 80 to 120 feet (Floyd East James aquifer), shale from 120 to 160 feet (Pierre shale), and chalk from 160 to 220 feet (Niobrara Formation). The completed well had a static water level of 30 feet below land surface and was capable of producing 25 gpm using air to develop. This well as built is in accordance with SD Well Construction Standards.

The Water Rights Program does not monitor any observation wells completed into the Niobrara Formation in this area. There are many observation wells completed into the Floyd East James aquifer in the area. Water levels for these wells show good response to climatic conditions and to area irrigation pumping (Water Rights, 1999). Historical water level data for the Niobrara Formation is not available for this area.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing Water Right No. 5744-3 for a Niobrara Formation well located at this site. Drawdown will occur as a result of pumping but at this relatively small rate of diversion interference is not expected to be a concern. There are no other diversions in the area obtaining water from the Niobrara Formation.

CONCLUSIONS

1. Water is available from the Niobrara Formation.
2. The aquifer is under artesian conditions. Drawdown will occur as a result of pumping but this is not expected to be significant nor cause adverse effects.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. Wastewater is disposed of on site through a "mound system" which has been approved by DENR, Division of Environmental Services.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hedges, L.S., 1968, Geology and Water Resources of Beadle County, SD, Part 1: Geology, Bulletin 18, SDGS, Vermillion, SD, 57069.

Hedges, L.S., etal, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SDGS, Vermillion, SD, 57609.

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6137-3, Our Home, Inc.**

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. 6137-3, Our Home, Inc., c/o Steve Gubbrud, 360 Ohio SW, Huron SD 57350.

The Chief Engineer is recommending APPROVAL of Application No. 6137-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The additional well authorized by Permit No. 6137-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.

See report on application for additional information.



JOHN HATCH, Chief Engineer
May 12, 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.

May 13, 1999

Our Home, Inc.
%Steve Gubbrud
360 Ohio SW
Huron, SD 57350

Dear Mr. Gubbrud:

Water Permit Application No. 6137-3 for institutional 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 Plainsman printed at Huron, SD (Ph # (605) 352-6401). 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

May 13, 1999

The Plainsman
Box 1278
Huron, SD 57350

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6137-3 to Appropriate Water to be published twice. Please publish the first notice on May 20, 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 Our Home, Inc., %Steve Gubbrud, 360 Ohio SW, Huron, SD 57350 (Ph # (605) 352-4368).

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. 6137-3

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

Date _____

We are in receipt of your letter of May 13, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 6137-3 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 May 20, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6137-3 to Appropriate Water
and to Amend Water Right No. 5744-3

Notice is given that Our Home, Inc., c/o Steve Gubbrud, 360 Ohio SW, Huron SD 57350 has filed an application for a water permit to appropriate an additional 0.088 cubic feet of water per second (cfs) (40 gallons per minute) by increasing the diversion rate authorized by Water Right No. 5744-3 and authorizing one additional well. Water Right No. 5744-3 appropriates 0.033 cfs from one well (Niobrara Formation) 220 feet deep located in the SW ¼ SE ¼ Section 10-T110N-R61W. This application proposes to increase the water appropriation from the existing well from 10 gallons per minute (gpm) to 25 gpm. This application also proposes to appropriate 0.055 cfs (25 gpm) from one additional well (Niobrara Formation) 220 feet deep located in the SW ¼ SE ¼ Section 10-T110N-R61W. The two wells combined will appropriate a total of 0.11 cfs (50 gpm). The water is for institutional use and fire protection purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6137-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 7, 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 PUBLICATIONSTATE OF SOUTH DAKOTA)
County of Beadle) SSI, Cheri Bjorke

certify that the attached printed Notice was taken

from the Plainsmanprinted and published in HuronCounty of Beadle and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

May 20, 1999May 27, 1999Cost of Printing \$90.00Cheri Bjorke
(Signature)Legal Advertising
(Title)May 27, 1999
(Date Signed)

F.P. 5-20-99 L.P. 5-27-99

NOTICE OF APPLICATION NO. 6137-3 to appropriate water and to amend water right no. 5744-3

Notice is given that Our Home, Inc., c/o Steve Gubbrud, 360 Ohio SW, Huron SD, 57350 has filed an application for a Water permit to appropriate an additional 0.088 cubic feet of water per second (cfs) (40 gallons per minute) by increasing the diversion rate authorized by Water Right No. 5744-3 and authorizing one additional well. Water Right No. 5744-3 appropriates 0.033 cfs from one well (Niobrara Formation) 220 feet deep located in the SW 1/4 SE 1/4 Section 10-T110N-R61W. This application proposes to increase the water appropriation from the existing well from 10 gallons per minute (gpm) to 25 gpm. This application also proposes to appropriate 0.055 cfs (25 gpm) from one additional well (Niobrara Formation) 220 feet deep located in the SW 1/4 SE 1/4 Section 10-T110N-R61W. The two wells combined will appropriate a total of 0.11 cfs (50 gpm). The water is for institutional use and fire protection purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6137-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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

applicant must be filed by June 7, 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

2x9" x 35" \$90 No. 217 (adv.)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 6 1999

Our Home, Inc.
%Steve Gubbrud
360 Ohio SW
Huron, SD 57350

Dear Mr. Gubbrud:

Enclosed is Water Permit No. 6137-3 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

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

Date 10/4/99

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

FROM: Our Home, Inc.
(name)
334 Third St. SW
(address) ← New address
Huron, SD 57350
(city, state, zip) (605) 352-4368
(phone)

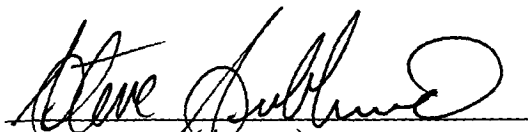
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6137-3 states that the water use system is to be constructed by
June 7, 2004, and water is to be put to beneficial use by June 7, 2008.
(date) (date)

The water use system was completed on April 30, 1999.
(date)

Applying the water to beneficial use was completed on July 26, 1999.
(date)

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


(signature)



Permit Nos. 5744-3, 6137-3

James River - Water District

Other permit/license(s) associated with project: none

Contact Person & Address: Leon Schroeder, 1039 Idaho SE, Huron, SD 57530

Report Of Examination Of Works

On, May 23, 2000, I made a thorough examination of the water use system constructed by Our Home, Inc. of 334 Third St SW, Huron, SD 57350 holder of Permit No. 5744-3 bearing the priority of January 29, 1993, authorizing the diversion of 0.033 cu. ft. per second and Permit No. 6137-3 bearing the priority of April 13, 1999, authorizing the diversion of 0.077 cu. ft. per second of the waters for institutional and fire protection purposes, in Beadle County.

The system is in the following condition good. The point of diversion is located Well #1: from the S ¼ corner of Section 10 T110N-R61W 415 feet east and 280 north with a longitude of -98.142100 and a latitude of 44.342094. The point of diversion is located Well #2: from the S ¼ corner of Section 10 T110N-R61W 415 feet east and 410 north with a longitude of -98.142114 and a latitude of 44.342503. The works are capable of diverting and conveying to the place of use 0.11 cu. ft. per second of water which is to be used for institutional and fire protection purposes. Water has been put to beneficial use and the license should be issued for 0.11.

Review of Permit Qualifications And Regulations:

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

Report On the Specifics of the System

Diversion Point Information: Well #1 (Permit No. 5744-3)

- 1) Well Drilling Firm: Huron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 220 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 5 inches
- 2) Length 160 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 60 feet
- 3) Static water level 30 feet

Pump\ Motor:

- 1) Pump Make Submersible
- 2) Capacity 25 GPM (originally 15 GPM + 10 GPM from permit no. 6137-3)
- 6) Horsepower rating 2 hp

Diversion Point Information: Well #2 (Permit No. 6137-3)

- 1) Well Drilling Firm: **Huron Drilling** 2) No. of Wells **1**
3) Depth(s) **220** feet 4) Well log is available **yes**

Casing:

- 1) Diameter **5** inches 2) Length **160** feet
3) Type **PVC**

Screen:

- 1) Type **PVC** 2) Length **60** feet
3) Static water level **19** feet

Pump\ Motor:

- 3) Pump Make **Submersible**
4) Capacity **25** GPM
6) Horsepower rating **2** hp

COMMENTS: Our Homes, Inc. adds chlorine to the water pumped from the well.

Stacy J. Johnson

6-13-00

Stacy J. Johnson

Date

Natural Resources Engineer

DENR, Water Right Program



0.5 0 0.5 1 Miles

Stacy J. Johnson 6-12-00

Stacy J. Johnson
Natural Resources Engineer
SD DENR Water Rights Program

6137-3

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6137-3

(1) Our Home, Inc., 334 3rd St SW, Huron SD 57350 made Application No. 6137-3, April 13, 1999 for a water permit to divert 0.077 cubic feet of water per second (cfs) from groundwater (two wells), Beadle County, South Dakota for institutional use and fire protection purposes. Permit No. 6137-3, with a priority date of April 13, 1999 was approved June 7, 1999 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 7, 2004 and for the application to beneficial use of said water on or before July 7, 2008.

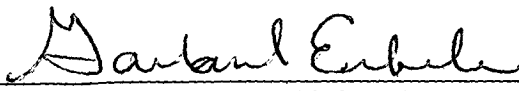
The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on October 6, 1999. The *Notice* stated the diversion system was completed on April 30, 1999 and the water placed to beneficial use on July 26, 1999.

Water Right No. 5744-3, with a priority date of January 29, 1993, authorized 0.033 cfs from one well. Permit No. 6137-3 increased the diversion rate authorized by No. 5744-3 and authorized an additional well for a total of 0.11 cfs (50 gallons per minute). Each well is capable of producing 25 gallons per minute. The applicable portions of Water Right No. 5744-3 are incorporated into No. 6137-3.

(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 0.11 cubic feet of water per second for beneficial use. The location of the diversion points are: Well No. 1 – 415 feet east and 280 feet north; Well No. 2 – 415 feet east and 410 feet north; both from the S ¼ corner of Section 10-T110N-R61W (SW ¼ SE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Our Home, Inc., 334 3rd St SW, Huron SD 57350 the holder and/or owner of Incorporated Water Right No. 6137-3 is issued a license to appropriate water, the right to use 0.11 cubic feet of water per second from groundwater (two wells) with priority dates of January 29, 1993 (0.033 cfs) and April 13, 1999 (0.077 cfs) from the location specified in (2) of this license for institutional use and fire protection purposes. This license is subject to any limitations or qualifications listed in Incorporated Water Right No. 6137-3 and subject to South Dakota State Law.


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

JUL 10 2000

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

JUL 10 2000

6137-3

Our Home, Inc.
%Steve Gubbrud
334 3rd St. SW
Huron, SD 57350

Dear Mr. Gubbrud:

Enclosed is Water License No. 6137-3. 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. 6137-3, 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.

Sincerely,

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

ks
enclosures

NOTE: The applicable portions of Water Right No. 5744-3 are incorporated into No. 6137-3.