

WATER PERMIT NO. 6162-3

Name of Applicant: Lincoln County Rural Water System

Address: Box 36, Harrisburg SD 57032

Phone: 605 767-2966

Amount of Water Claimed: no add'l

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: rural water system use

County: Lincoln

Type of Waste Disposal System:

Location:

PRIORITY

Date Received: 1-3-2000

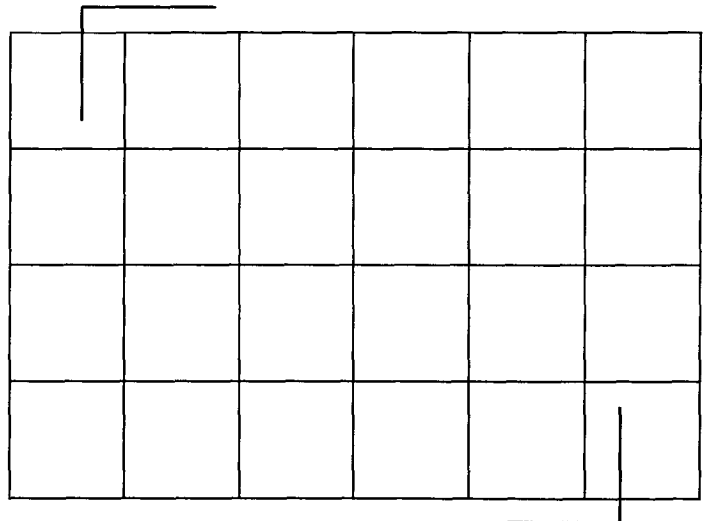
Fee: \$150.00

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: Add the City of Harrisburg to the rural water system

Diversion Point: SW ¼ NW ¼ Sec 36-T100N-
R50W (City of Sioux Falls well field)



Land to be Irrigated:

Depth of Well: _

Well Driller: _

Remarks:

Type of Map:

Prepared by:

Reviewed and the Number Assigned on: 1-3-2000

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6162-3**

Date of first receipt of application January 3, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6162-3 to Lincoln County Rural Water System, Box 36, Harrisburg SD 57032 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. 6162-3 authorizes adding the City of Harrisburg to the service area of the Lincoln County Rural Water System. Water to supply the City of Harrisburg will be provided by Water Permit No. 1790-3 which authorized 1.63 cubic feet of water per second (Big Sioux:Sioux Falls Management Unit) from the City of Sioux Falls well field. This permit does not increase the diversion rate authorized by Water Permit No. 1790-3.
2. The water appropriated shall be used for the purpose of supplying water to the City of Harrisburg and may not exceed the amount of water needed for beneficial use for rural water system purposes.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 6162-3 is March 13, 2000.
5. The date from which applicant may claim right is November 23, 1970.
6. One-fifth of the construction is to be completed on or before September 13, 2002.
7. All construction is to be completed on or before March 13, 2005.
8. Water is to be put to beneficial use on or before March 13, 2009.
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 well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Water Permit Nos. 1790-3, 1790A-3 and 6162-3, combined, authorize a total annual diversion of 1,180 acre feet of water.
3. The Lincoln County Rural Water System shall report to the Chief Engineer annually the amount of water used each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

APR 10 2000

date



SOUTH DAKOTA

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>6162-3</u>	(office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Sioux Valley News, Canton, SD</u>	
	<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 Lincoln County Rural Water System Phone (605) 767-2966
(check one) ☒ Owner ☐ Tenant/lessee Inc
Mailing Address 201 Railroad Ave, Box 36 Harrisburg State SD 57032
(Street, RR. or Box) (Zip Code)
- Amount of water claimed No new *CFS or water qty **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 Big Sioux Auifer processed through City of Sioux Falls
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Connection to rural
water system located in the SW1/4 of NW1/4 Section 36-T100N-R50W
County Lincoln
- County or counties where water will be used Lincoln
- Annual period during which water is to be used 12 months 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)
Lincoln County Rural Water System will supply the City of Harrisburg
water at a rate of 150gpm up to 4.5 million per month from a connection
on west side of Harrisburg

STATE OF SOUTH DAKOTA)

County of Lincoln 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, Lincoln County Rural Water System Inc
Roger Lamp, Chairman, 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 Roger Lamp
Subscribed and sworn to before me this 23rd day of December 19 99

Dennis Larson

Notary Public

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6162-3, Lincoln County Rural Water System**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6162-3, Lincoln County Rural Water System, c/o Roger Lamp, Chairman, 201 Railroad Avenue, Box 36, Harrisburg SD 57032.

The Chief Engineer is recommending APPROVAL of Application No. 6162-3 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 well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Water Permit Nos. 1790-3, 1790A-3 and 6162-3, combined, authorize a total annual diversion of 1,180 acre feet of water.
3. The Lincoln County Rural Water System shall report to the Chief Engineer annually the amount of water used each year.

See report on application for additional information.



Garland Erbele, Chief Engineer
February 11, 2000

REPORT ON WATER PERMIT NO. 6162-3
for Lincoln County Rural Water System
January 21, 2000

Application No. 6162-3 proposes to add the City of Harrisburg to the service area of the Lincoln County Rural Water System. Water to supply the City of Harrisburg will be provided by Water Permit No. 1790-3 which authorized 1.63 cfs from the City of Sioux Falls well field. This permit does not increase the diversion rate authorized by Water Permit No. 1790-3.

AQUIFER - BIG SIOUX - SIOUX FALLS (BS-SF)

The Big Sioux Sioux Falls aquifer is a surficial outwash (sand and gravel) which underlies 22,300 acres and contains an estimated 103,050 acre feet of recoverable water in storage in Minnehaha County (Hedges, 1982). Ground water movement is generally from north to south and locally toward the Big Sioux River (Lindgren, 1992). The aquifer is hydraulically connected to the Big Sioux River, the Big Sioux South aquifer to the south, the Big Sioux Southern Skunk Creek aquifer to the west, the Sioux Quartzite and possibly the Split Rock Creek aquifer which both underlie the Big Sioux aquifer.

Ground water levels do respond to climatic conditions, that is rising during wet years and gradually declining during dry years. The Water Rights Program monitors 13 observation well completed into the Big Sioux Sioux Falls aquifer (Water Rights, 2000). Records indicate that the aquifer is capable of sustaining additional withdrawals.

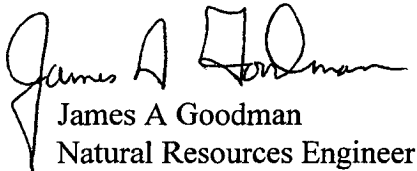
The water for this application is authorized by Water Permit No. 1790-3 and 1790A-3. These permits contain the following qualifications, 1) a maximum use of 31,616,784 gallons per 30-day month based upon a diversion rate of 1.63 cfs and 2) a total annual limitation of 1180 acre feet. Dennis Larson the manager of Lincoln County Rural Water System reported that in 1999 the system used about 207 million gallons (635 acre feet) and that the highest monthly total was about 20 million gallons and usually averaged 15 to 18 million gallons (personal communication). The rural water system does have the water appropriated to add the City of Harrisburg.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The water for this application will come from the City of Sioux Falls well field and has already been appropriated. Interference is not a concern. The wells that supply this water have been in use for many years. This application simply adds the City of Harrisburg to the rural water system.

CONCLUSIONS

1. Water is available for this application. The water is authorized under water permit Nos. 1790-3 and 1790A-3.
2. The amount of water needed to supply the City of Harrisburg is estimated at 4.5 million gallons per month and a rate of 150 gpm. This monthly rate added to the highest monthly total would be about 25 million gallons and still is within permit limits. At this rate, the total annual diversion would be about 165 acre feet which would put the annual use by the rural water system at about 800 acre feet. This is also less than the 1180 acre feet permit limit.
3. The water for the application is pumped, treated and delivered to Lincoln County Rural Water System under an agreement with the City of Sioux Falls.
4. Lincoln County Rural Water System should be required to report water use to the Water Rights Program.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

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, SD DENR, SDGS, Vermillion, SD, 57069.

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

Water Rights, 2000, Unpublished Observation Well Data for Minnehaha County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416322

Pierre, January 3, 2000

RECEIVED OF Lincoln Co. RWS, Inc., P.O. Box 36, Harrisburg, SD 57032
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6162-3</u> 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. <u>6162-3</u> _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By John Hatch
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 2000

Sioux Valley News
Box 255
Canton, SD 57013-0255

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6162-3 to Appropriate Water to be published twice. Please publish the first notice on February 24, 2000, 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 Lincoln County Rural Water System, %Roger Lamp, Chairman, P.O. Box 36, Harrisburg, SD 57032 (Ph # (605) 767-2966).

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. 6162-3

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

Date _____

We are in receipt of your letter of February 14, 2000, enclosing Notice of Hearing to Appropriate Water by Application No. 6162-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 2000

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

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Natural Resources Engineer
605 773-3352

enclosures

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

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Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

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Name

Newspaper



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and NATURAL RESOURCES**

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

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

March 14, 2000

Lincoln County Rural Water System
%Dennis Larson, Manager
P.O. Box 36
Harrisburg, SD 57032

Dear Mr. Lamp:

Water Permit Application No. 6162-3 for rural water system use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Sioux Valley News printed at Canton, SD (Ph # (605) 987-2631), and 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 newspapers to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the papers can eliminate delays. The publishers have 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 newspapers have 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.

Instruction to Newspaper - Publish first Notice on February 24, 2000, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6162-3 to Appropriate Water

Notice is given that the Lincoln County Rural Water System, PO Box 36, Harrisburg SD 57032 has filed an application for a water permit to add the City of Harrisburg to the service area of the Lincoln County Rural Water System. Water to supply the City of Harrisburg will be provided by Water Permit No. 1790-3 which authorized 1.63 cubic feet of water per second (Big Sioux:Sioux Falls Management Unit) from the City of Sioux Falls well field. This permit does not increase the diversion rate authorized by Water Permit No. 1790-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6162-3 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 13, 2000.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

AFFIDAVIT OF PUBLICATION-

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

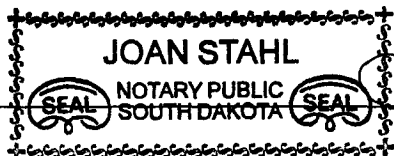
Mary Boysen being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

THURS	, the	24	day of	FEBRUARY	2000,
THURS	, the	02	day of	MARCH	2000,
	, the		day of		2000,
	, the		day of		2000,
	, the		day of		2000,
	, the		day of		2000,
	, the		day of		2000,

and that \$77.91 was charged for publishing the same including
A \$5.00 affidavit fee.

Mary Boysen

Subscribed and sworn to before me March 2, 2000,



Joan Stahl
Notary Public, South Dakota

My Commission expires June 30, 2005

NOTICE OF APPLICATION NO. 6162-3 to Appropriate Water

Notice is given that Lincoln County Rural Water System, PO Box 36, Harrisburg, SD 57032 has filed an application for a water permit to add the City of Harrisburg to the service area of the Lincoln County Rural Water System. Water to supply the City of Harrisburg will be provided by Water Permit No. 1790-3 which authorized 1.63 cubic feet of water per second (Big Sioux:Sioux Falls Management Unit) from the City of Sioux Falls well field. This permit does not increase the diversion rate authorized by Water Permit No. 1790-3.

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Nettie H. Myers,
Secretary,
Department of Environment and
Natural Resources
20885 Feb. 24; Mar. 2, 2000





Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LINCOLN

CONNIE RENLI

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

**NOTICE OF APPLICATION
NO. 6162-3
TO APPROPRIATE WATER**

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

**FEBRUARY 24, 2000
MARCH 2, 2000**

that the full amount of the fees charged for publishing the same to-wit: the sum of **\$44.01** inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.

Connie Renli

Subscribed and sworn to before me this **2nd** day of **MARCH, 2000.**

Jeanne M. Limoges
Notary Public, South Dakota

(Seal)

Jeanne M. Limoges
My Commission Expires
November 18, 2003

**NOTICE OF
APPLICATION
NO. 6162-3**

to Appropriate Water

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(2-24, 3-2)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 10 2000

Lincoln County Rural Water System
%Dennis Larson, Manager
Box 36
Harrisburg, SD 57032

Dear Mr. Larson:

Enclosed is Water Permit No. 6162-3 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.

Sincerely,

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

enclosures

Permit Nos. 6162-3, 1790-3, & 1790A-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 23, 2004, made a thorough examination of the water use system constructed by Lincoln County RWS of Box 36, Harrisburg SD 57032 holder of Permit Nos. 6162-3, 1790-3, & 1790A-3, bearing the priority of November 23, 1970 authorizing the diversion of 1.63 cu. ft. per second with a total annual diversion of 1180 acre-feet of the waters of Big Sioux: Sioux Falls Management Unit for rural water system purposes, in Lincoln County.

Inspection contact & relationship to permit holder, if applicable: **Dennis Larson, Manager of Lincoln County RWS**
(605) 767-2966

A. Works used to divert the water:

The water supply comes from the City of Sioux Falls well field authorized by City of Sioux Falls water rights. For detailed well information see the City of Sioux Falls water rights.

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

Lincoln County Rural Water distribution system.

C. Works used to apply water to beneficial use:

Lincoln County Rural Water distribution system.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by yes

The system is in good condition with the point(s) of diversion located as follows: water is supplied by the Sioux Falls well field; the City of Tea connection is located in the SE corner of Sec. 26-T100N-R51W; The City of Harrisburg connection is located 1540' S of the NW corner of Sec. 36-T100N-R50W. The works are capable of diverting and conveying to the place of use 1.63 cu. ft. per second of water with a total annual diversion of 1180 acre-feet of water which is to be used for municipal purposes. Water has been put to beneficial use to the maximum extent as follows:

Water service to rural residents in Lincoln County and to the cities of Tea and Harrisburg.

The license should be issued for 1.63 cfs with a total annual diversion of 1180 acre-feet.

All structures, wells and lands on map yes

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

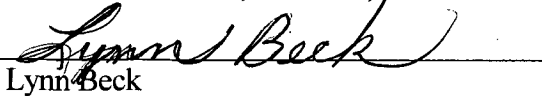
1790-3 authorizes 1.63 cfs up to a total annual diversion of 1180 acre-feet to supply rural residents in Lincoln County.

Report of Examination of Works
Permit Nos. 1790-3, 1790A-3 & 6162-3

1790A-3 authorizes the addition of the City of Tea to the Lincoln County RWS distribution system. No additional water is authorized.

6162-3 authorizes the addition of the City of Harrisburg to the Lincoln County RWS distribution system. No additional water is authorized, however, water will be supplied at 150 gpm up to 4.5 million gallons per month (165.7 acre-feet annually).

Combined 1790-3, 1790A-3, and 6162-3 authorize a total annual diversion of 1,180 acre feet of water.


Lynn Beck

Natural Resources Engineer Specialist
DENR, Water Rights Program

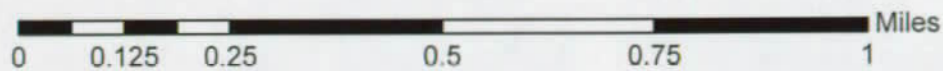
Date report completed: **February 18, 2005**

WATER RIGHT NO. 6162-3
LINCOLN COUNTY RURAL WATER SYSTEM



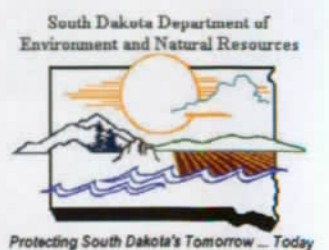
R50W

SCALE



Lynn Beck

Lynn Beck
Natural Resources Engineer
DENR, Water Rights Program
January 21, 2005

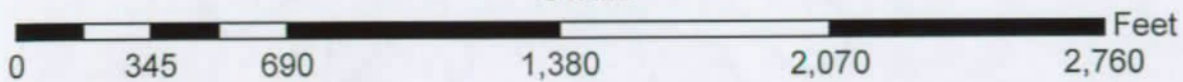


WATER RIGHT NO. 1790A-3
LINCOLN COUNTY RURAL WATER SYSTEM



R51W

SCALE



Lynn Beck

Lynn Beck
Natural Resources Engineer Specialist
DENR, Water Rights Program
January 24, 2005



South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6162-3

(1) Lincoln County Rural Water System, Box 36, Harrisburg SD 57032 made Application No. 6162-3, January 3, 2000 for a water permit to add the City of Harrisburg to the service area of the rural water system in Lincoln County, South Dakota for rural water system use purposes. Permit No. 6162-3, with a priority date of November 23, 1970 (established by No. 1790-3) was approved March 13, 2000 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 13, 2005 and for the application to beneficial use of water on or before March 13, 2009.

Permit No. 1790-3, with a priority date of November 23, 1970 authorized 1.63 cubic feet of water per second from the City of Sioux Falls well field authorized by the City of Sioux Falls water rights for the Lincoln County Rural Water System.

Permit No. 1790A-3, with a priority date of November 23, 1970 authorized the addition of the City of Tea to the service area of the Lincoln County Rural Water System.

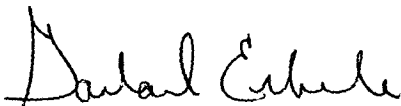
The applicable portions of Nos. 1790-3 and 1790A-3 are incorporated into No. 6162-3.

(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 Incorporated Water Right No. 6162-3 is issued a license, bearing a priority date of November 23, 1970 to appropriate 1.63 cubic feet of water per second (1,180 acre-feet annually) from the City of Sioux Falls well field authorized by the City of Sioux Falls water rights for the Lincoln County Rural Water System.

The diversion points are located as follows: City of Tea connection is located in the SE corner of Section 26-T100N-R51W; City of Harrisburg connection is located 1,540 feet south of the northwest corner of Section 36-T100N-R50W; water is supplied by the City of Sioux Falls well field (see City of Sioux Falls water rights for detailed well information).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Permit No. 6162-3 including the following now applicable qualifications:

- The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- Nos. 1790-3, 1790A-3 and 6162-3, combined, authorize a total annual diversion of 1,180 acre feet of water.
- The Lincoln County Rural Water System shall report to the Chief Engineer annually the amount of water used year.



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

APR 01 2005

date





6162-3

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 01 2005

3454-3

6162-3

Lincoln County Rural Water System
Box 36
Harrisburg SD 57032

Dear Sir:

Enclosed are Water License Nos. 3454-3 & 6162-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 001785 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License No. 3454-3.

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

NOTE: The applicable portions of No. 1790-3 & 1790A-3 are incorporated into Water License No. 6162-3.

enclosures

6162-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

December 20, 2006

Larry Nelson
Frieberg, Nelson & Ask
PO Box 38
Canton SD 57013

Dear Mr. Nelson:

As per your request, enclosed is a copy of the administrative file for each water right held in the name of Lincoln County Rural Water System. These copies are the entire administrative file for each water right. These records are kept as scanned images at the Water Right Program office in Pierre. Specifically enclosed are:

- Cancelled Water Right No. 1789-3
- Water Right No. 1790-3 – incorporated into Water Right No. 6162-3
- Water Right No. 1790A-3 – incorporated into Water Right No. 6162-3
- Cancelled Water Right No. 3021-3
- Water Right No. 3454-3
- Future Use Permit No. 5155-3
- Deferred Water Permit Application No. 5156-3
- Water Right No. 6162-3

You also spoke of maps that I previously sent to you. I am uncertain what maps these may be so I did not include maps other than any maps that may be included in the administrative files that are enclosed.

Finally, enclosed is an invoice in the amount of \$93.20 for the cost of the copies.

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

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 2, 2007

RECEIVED OF Larry Nelson, Frieberg Nelson & Ask, PO Box 38, Canton SD 57013

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	93 20	
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. _____		
Fee for Filing Transfer Form _____		
Fee for _____ copies		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	93.20

No.

02744

By

Darland Ebele
Chief Engineer gm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

* INVOICE *

Invoice No. 20411-121906

Larry Nelson
Frieberg Nelson & Ask
PO box 38
Canton SD 57013

RECEIVED
JAN - 2 2007
WATER RIGHTS
PROGRAM

466 copies @ \$.20 each

PLEASE PAY THIS AMOUNT:

\$93.20

GLENDA MARKS
Secretary
Water Rights Program
(605) 773-3352