

WATER PERMIT NO. 6215-3

Name of Applicant: City of Sioux Falls

Address: 224 W 9th St, Sioux Falls SD 57104 Phone: 605 367-7025

Amount of Water Claimed: 1193 Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: municipal County: Minnehaha/Lincoln

Type of Waste Disposal System:

Location: Sioux Falls well field

PRIORITY Date Received: 6-12-2000 Fee: \$475

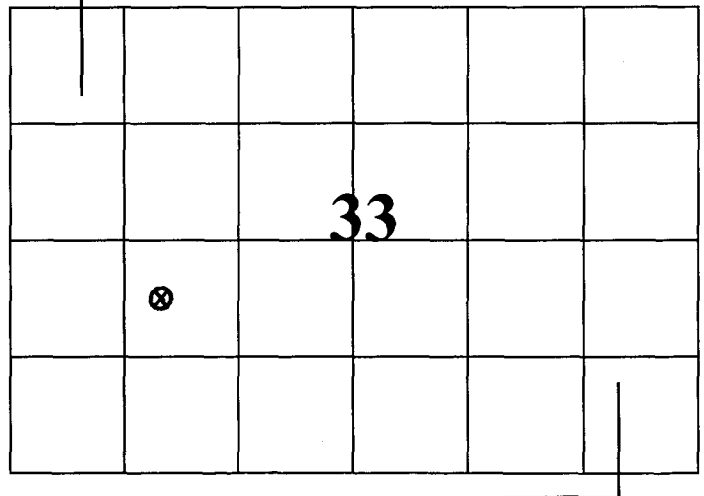
Corrected Application Received:: Period of Annual Use: January 1 – December 31

Remarks: Place to beneficial use water reserved by Future Use Permit No. 448-3

Well #70

Diversion Point: NW ¼ SW ¼ Sec 33-T103N-
R49W

Land to be Irrigated: NA



Depth of Well: 37 feet

Well Driller: : Collector Wells International, Inc.

Remarks:

Type of Map: topo

Prepared by: Tony W Emerson, PE

Reviewed and the Number Assigned on: 6-12-2000

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 6215-3

Date of first receipt of application June 12, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6215-3 to City of Sioux Falls, 224 West 9th St, Sioux Falls SD 57104 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6215-3 authorizes construction and placing to place to beneficial use 3.57 cfs (1,193 acre-feet) from one well (Big Sioux:Sioux Falls Aquifer) 37 feet deep located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33-T103N-R49W. This water is appropriated and reserved by Future Use Permit No. 448-3.
2. The water appropriated shall be used for the purpose of supplying water for municipal 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. 6215-3 is September 11, 2000.
5. The date from which applicant may claim right is April 8, 1957 (established by Future Use Permit No. 448-3).
6. One-fifth of the construction is to be completed on or before March 11, 2003.
7. All construction is to be completed on or before September 11, 2005.
8. Water is to be put to beneficial use on or before September 11, 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. If the development and pumping of Sioux Falls Management Unit of the Big Sioux Aquifer water appropriated by this permit results in adverse impairment of adequate domestic wells or adequate wells having prior water rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.
2. Water Permit No. 6215-3 authorizes a total annual diversion of 1,193 acre feet of water.
3. The City of Sioux Falls shall report to the Chief Engineer annually the amount of water withdrawn from the Sioux Falls Management Unit of the Big Sioux Aquifer.

WATER MANAGEMENT BOARD

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

NOV 15 2000
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>6215-3</u>	Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>	Newspaper <u>see 6214-3</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. 448-3**
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 City of Sioux Falls Phone 605-367-7025
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 224 West 9th Street Sioux Falls State SD 57104
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 3.57 *CFS or 1000 **GPM 1193 ***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 Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) NW 1/4 SW 1/4 sec. 33 103N-R49W
County Minnehaha
- County or counties where water will be used Minnehaha and Lincoln
- 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)

Horizontal collector well for City of Sioux Falls, SD. For municipal use. 10 foot caisson with 4 stainless steel laterals. Well to be connected to existing water main, pumped to purification plant for treatment. Test pumped at constant maximum rate for 72 hours at 1600gpm. Total acre feet usage is based on drought conditions for 270 days of pumpage at designed rate of 1000 gpm or 1193 acre feet per year.

STATE OF SOUTH DAKOTA) SS

County of Minnehaha

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, Randy Janssen, 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

Randy Janssen

Subscribed and sworn to before me this 16th day of June 20 00

Darla Cottrill 9-5-05

Notary Public signature

4-2000

Form 2A

(Complete applicable portions only)

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter Caisson 13ft OD Depth 37ft
- b) Casing Type concrete Diameter 10 ft ID Thickness 1.5 ft
- c) Screen Type Stainless steel Diameter 8 inch Thickness 0.148 inch
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) 8ft (1434)
- g) Distance to nearest existing domestic well: 2500 ft

On applicants property Yes, Well 58

On property owned by others _____

2. Wastewater Disposal System Information

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

3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____



EL. 1449.00

GROUND EL. 1442.40

10'-0"

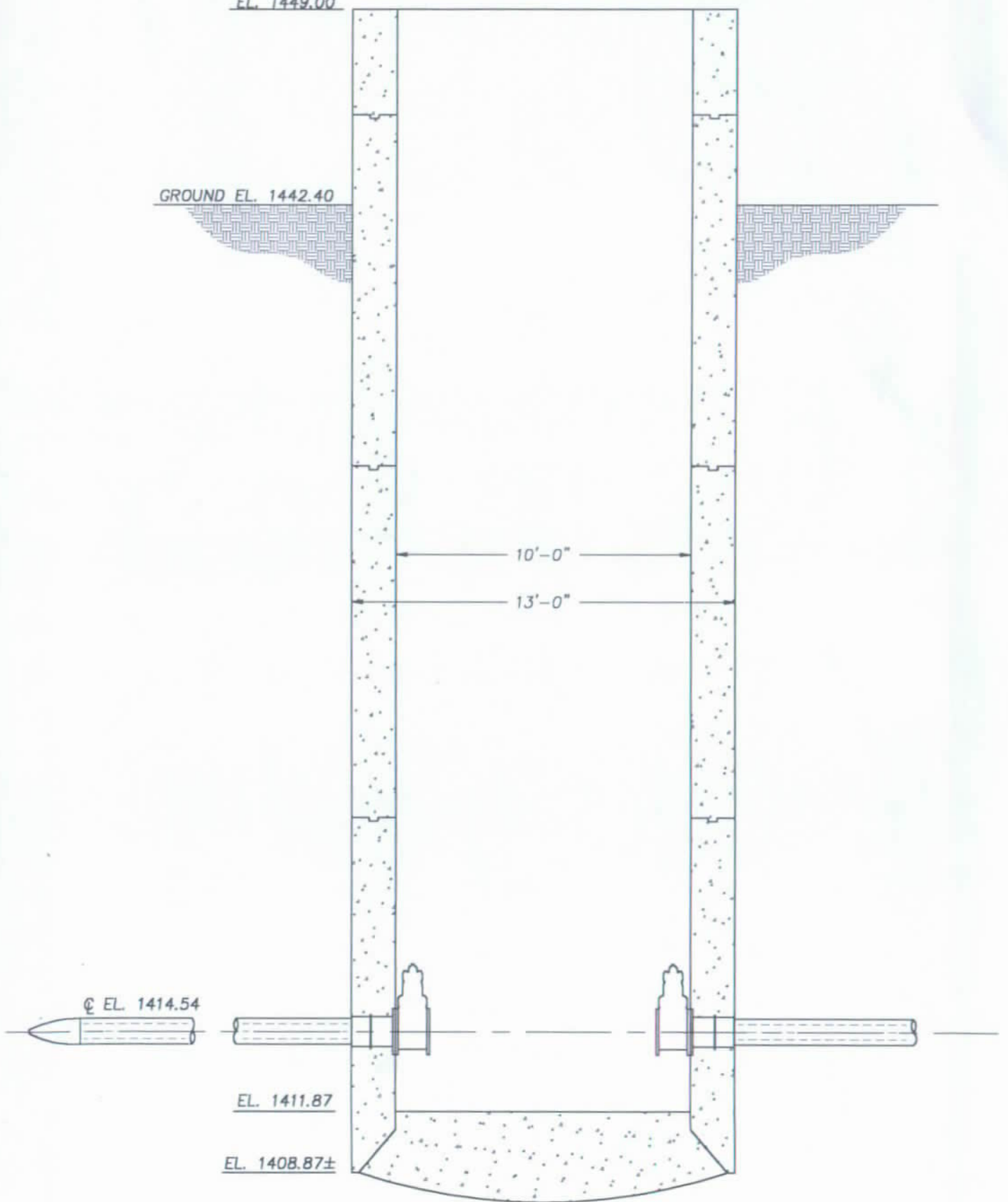
13'-0"

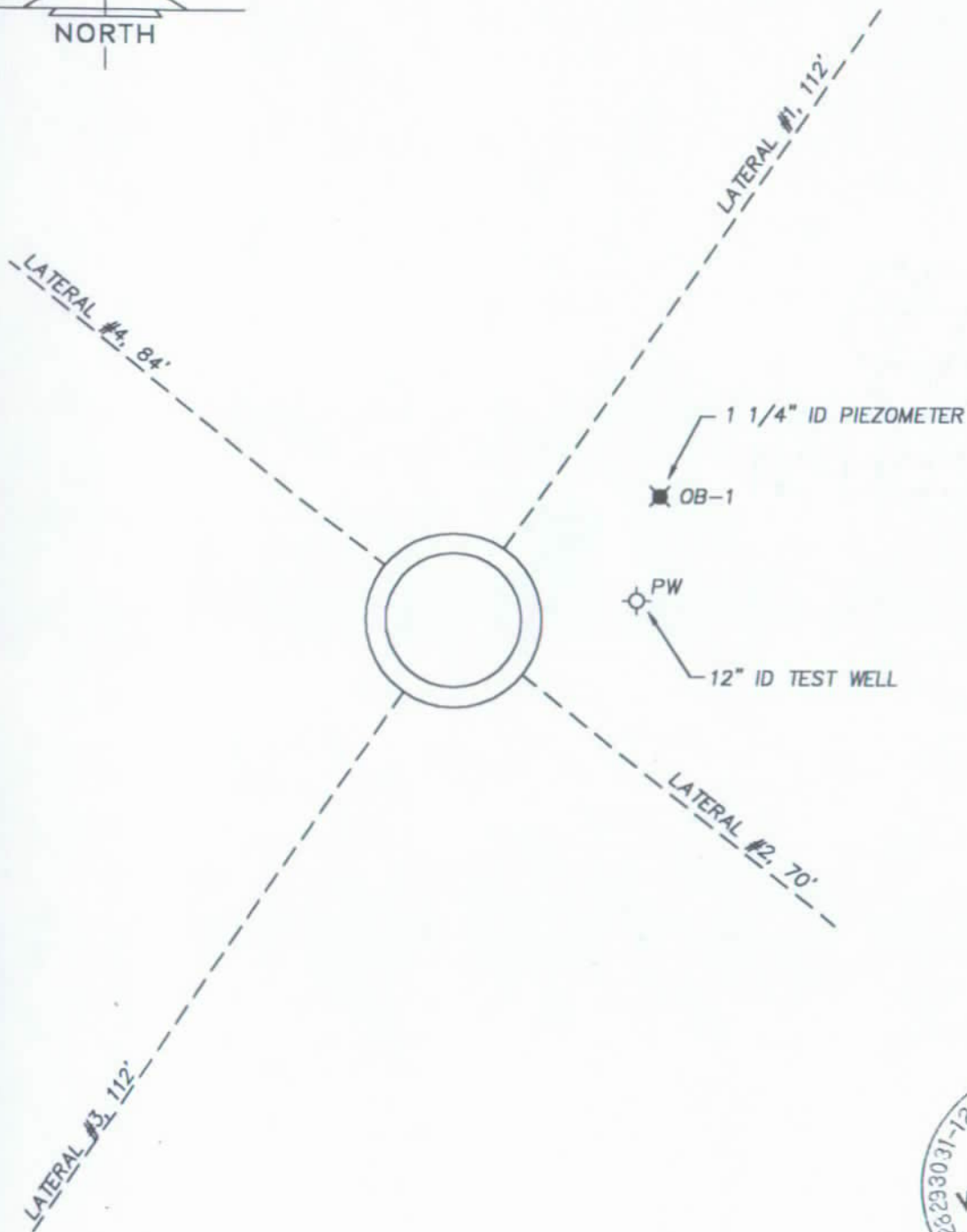
¢ EL. 1414.54

EL. 1411.87

EL. 1408.87±

SECTION





☒ OF DITCH ROAD

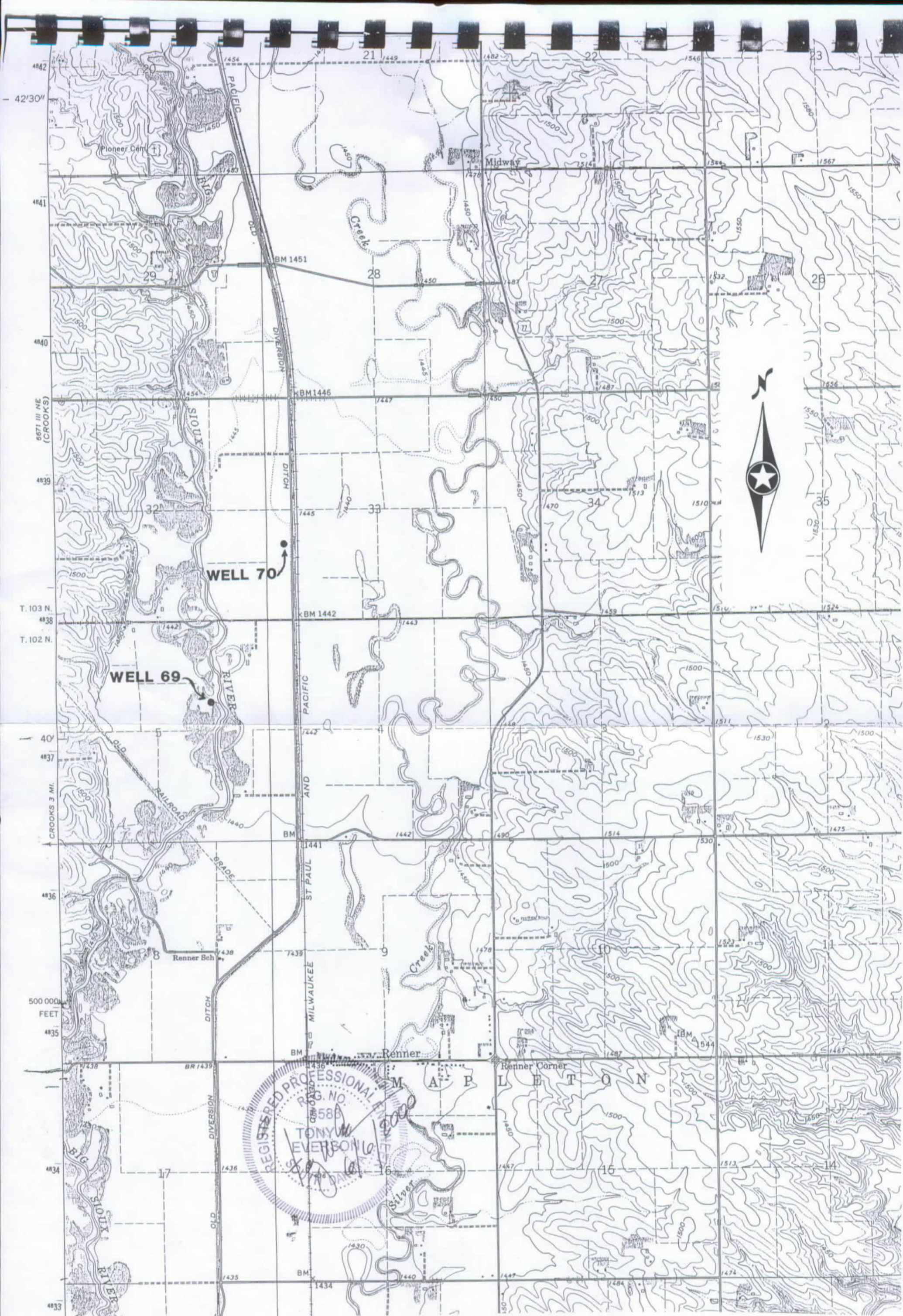


PLAN
N.T.S.

SECTION & PLAN VIEW
OF COLLECTOR WELL 70, FERNSDALE SITE
SIOUX FALLS, SOUTH DAKOTA

COLLECTOR WELLS INTERNATIONAL, INC.

DRAWN BY: RJM	FILE NAME: 198-114-9	DATE: 12/20/99	FIGURE: 1
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LOCATION MAP

Sheet



DeWild Grant Reckert & Associates Co.
Architecture Engineering Planning

Rock Rapids, Iowa
Sioux City, Iowa
Sioux Falls, South Dakota

Date
Drawn By
Approved
Revised

JAN. 2000
JKV
GJP

PROJ. # 811530

COMPLETION OF WELLS 69 AND 70
SIOUX FALLS, SOUTH DAKOTA

6215-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

* INVOICE *

Invoice No. 2020-8-06/27/2000

Randy Janssen
City of Sioux Falls
224 West 9th St.
Sioux Falls, SD 57104

Fee for Application No. 6214-3 in the amount of \$325.00 (Purchase Order 98383 for well 69),
and fee for Application No. 6215-3 in the amount of \$475.00 (Purchase Order 98384 for well 70)
{ \$800.00 total }.

**THE AMOUNT SHOWN BELOW SHOULD BE SUBMITTED TO THE DEPARTMENT
OF ENVIRONMENT AND NATURAL RESOURCES, WATER RIGHTS PROGRAM.**

PLEASE PAY THIS AMOUNT:

\$800.00


CHERYL F. FROST
Secretary
Water Rights Program
(605) 773-3352

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416583

Pierre, July 12, 2000

RECEIVED OF City of Sioux Falls, 224 W. 9th St., Sioux Falls, SD 57104-6407
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6215-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	275	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. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	325 00

By *Harold E. [Signature]*
Chief Engineer

WATER PERMIT APPLICATION NOS. 6214-3 & 6215-3
CITY OF SIOUX FALLS
JULY 17, 2000

Water Permit Application No. 6214-3 proposes to construct works and place to beneficial use 1.45 cubic feet of water per second (cfs)[418 acre-feet of water annually] reserved by Future Use Permit No. 448-3. The well that is to be used to supply this permit is 42 feet deep, completed into the Sioux Falls management unit of the Big Sioux aquifer, and is located in the SW¼ NE¼ Sec. 5, T102N-R49W.

Water Permit Application No. 6215-3 proposes to construct works and place to beneficial use 3.57 cfs (1,193 acre-feet) reserved by Future Use Permit No. 448-3. The well that is to be used to supply this permit is 37 feet deep, completed into the Sioux Falls management unit of the Big Sioux aquifer, and is located in the NW¼ SW¼ Sec. 33, T103N-R49W.

Water Permit Application Nos. 6214-3 and 6215-3 request water for municipal use by the City of Sioux Falls in Minnehaha and Lincoln Counties.

AQUIFER: Sioux Falls Management Unit of the Big Sioux Aquifer

AQUIFER CHARACTERISTICS:

The Sioux Falls Management Unit of the Big Sioux Aquifer is an alluvium mantled, glacial outwash deposit, which consists of silt, fine to coarse sand, and gravel. The management unit underlies approximately 22,900 acres in Minnehaha County and contains an estimated 103,050 acre-feet of recoverable water in storage in the county (Hedges, 1982). The aquifer is restricted to the Big Sioux Alluvial Valley, and is bounded both to the north (near Dell Rapids) and on the south (Sioux Falls) by the relatively impermeable Sioux Quartzite. The aquifer is predominately under unconfined conditions. The direction of water movement in the aquifer is generally to the south and towards the Big Sioux River (Lindgren, 1992). The aquifer attains a maximum thickness of approximately 48 feet. The well logs included with these applications indicate the sand and gravel is 33 feet and 19 feet thick respectively at these well sites.

The Water Rights Program monitors observation wells: MA-80L and MA-80J (Water Rights, 2000_b), completed into the Sioux Falls Management Unit within approximately one mile of the diversion points proposed by these applications. The hydrographs for these wells (see figures 1 and 2) show that the highest annual water level generally occurs around April- June, and the lowest annual water level generally occurs around August - October.

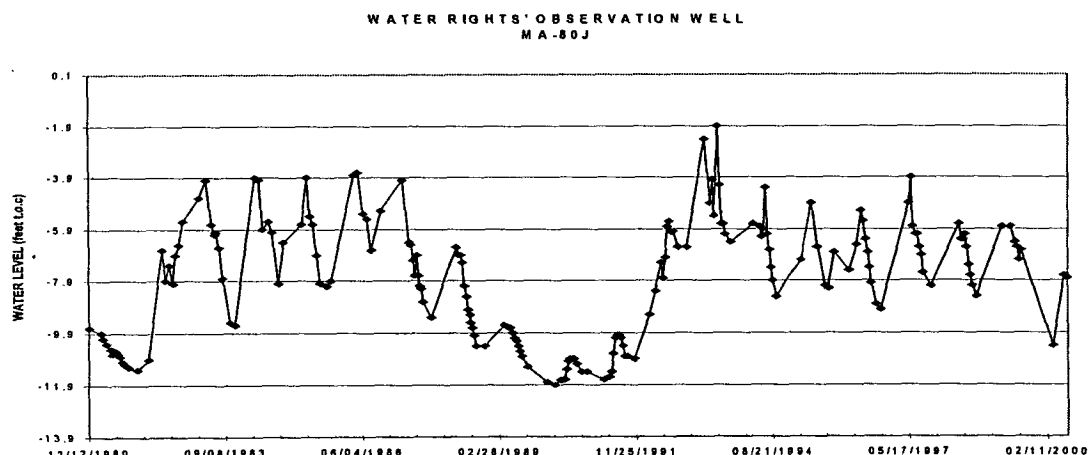


Figure 1. Hydrograph of observation well located approximately one mile north of Sioux Falls Well No. 70 (Application No. 6215-3)

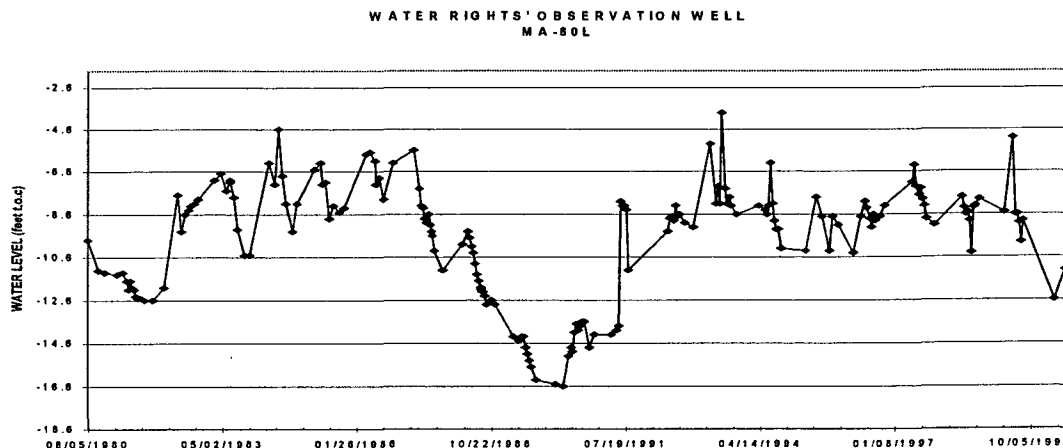


Figure 2. Hydrograph of observation well located approximately one mile south of Sioux Falls Well No. 69 (Application No. 6214-3)

The decline of water levels during the summer months is due to increased evapotranspiration, reduced recharge, and pumpage. Water levels rise during the late winter and spring due to recharge, if available. The hydrographs shows that the water level of the aquifer fluctuates rapidly in response to recharge. The response to withdrawals is less obvious and tends to be represented by a slow gradual decline. The hydrographs also show that in general, the early 1980's were fairly wet, the late 1980's were drier, and it was wet in the 1990's.

DISCUSSION:

Water Availability:

In the Sioux Falls Management Unit water availability must be evaluated in two ways: (1) by considering SDCL 46-6-3.1, which requires that annual withdrawal of groundwater is not to exceed recharge; and, (2) by considering the appropriation with respect to the November 14, 1991, Water Management Board declaratory ruling ("Declaratory Ruling on Establishment of a Maximum Annual Withdrawal Limitation for the Big Sioux Aquifer: Sioux Falls Management Unit").

Average Estimated Annual Recharge:

SDCL 46-6-3.1 requires that an application to appropriate groundwater can not be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of average estimated annual recharge.

Recharge:

Recharge to the Sioux Falls Management Unit occurs primarily through infiltration of precipitation, and streamflow losses. Estimates of average annual recharge to the Sioux Falls Management Unit include:

METHOD OF ANALYSIS	INVESTIGATOR	AVE. ANNUAL RECHARGE
Base flow recession	Hedges(1983)	12,404 ac-ft/yr
Observation well	Hedges(1983)	10,686 ac-ft/yr
Flow net	Hedges(1983)	1,908 ac-ft/yr
Computer model	Koch (1982)	13,200 ac-ft/yr

Withdrawal:

Withdrawals from the aquifer occur through evapotranspiration, discharge to the Big Sioux River, possibly through leakage to underlying aquifers, and pumpage. There are a number of domestic wells that are supplied by the aquifer; however, the majority of water use from the aquifer is by appropriative uses.

Appropriations:

Currently there are 64 Water Permits/Rights appropriating withdrawals from the Sioux Falls Management Unit (Water Rights, 2000_c). Permits issued from the aquifer include 41 municipal permits, 12 irrigation permits, 6 rural water system permits, 2 geothermal permits, and 3 commercial permits. In addition, there are 5 future use permits that reserve water from the Sioux Falls Management Unit.

Usage:

Although there are a number of permits/right for water from the Sioux Falls Management Unit, historically, the average annual use has been less than 15% of the maximum that could be pumped. Average annual pumpage (total) from the Unit was estimated in 1983 to be 17,370 acre-feet per year (Hedges, 1983). The average daily use (total) from the aquifer was estimated in 1989 to be 20.0 MGD (22,627 ac-ft/yr), (Barari, 1989). Reported withdrawals in acre-feet annually from the Sioux Falls Management Unit by appropriative users include (from Water Rights, 2000_c):

	City of Sioux Falls	MCWC	Irrigation	TOTAL
1990	17,788	1,253	473	19,514
1991	10,257	1,400	409	12,066
1992	12,334	1,458	160	13,952
1993	9,956	1,489	124	11,569
1994	10,597	1,722	253	12,572
1995	8,211	1,752	240	10,203
1996	10,586	1,967	246	12,799
1997	12,382	1,841	467	14,690
1998	11,647	1,967	294	13,908
1999	11,507	2,098	414	14,019

Table 1

The best information (recharge estimates and pumping estimates) indicates that the quantity of water withdrawn annually from the Sioux Falls Management Unit exceeds the calculated average estimated annual recharge. If estimates are correct, water would be lost from storage annually. A reduction of recoverable water in storage would be apparent by lowering water levels.

The Water Rights Program monitors 14 observation wells completed into the Sioux Falls Management Unit. A typical observation well hydrograph for the Sioux Falls Management Unit is shown in figure 3.

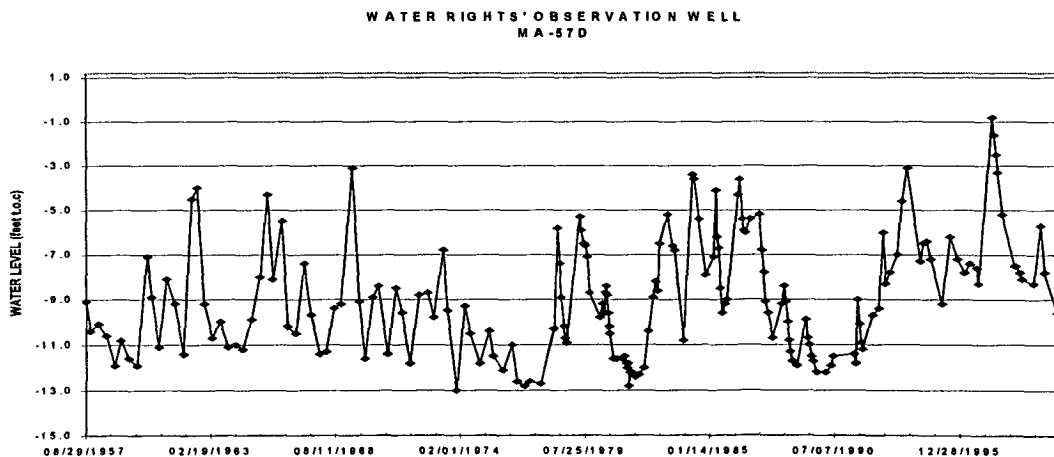


Figure 3. Hydrograph of a typical observation well completed into the BS:SF with 43 years of record.

Since a sustained downward trend in the water level of the aquifer has not been observed in Water Rights' Observation Wells, it is apparent that the physical evidence (water level readings) does not support the estimates for average annual recharge. The estimates for average annual recharge to the Sioux Falls Management Unit are obviously low. The difference between the estimates and the physical evidence may be accounted for through streamflow loss from the Big Sioux River.

At the current level of development from the aquifer, it is not possible to distinguish between natural water level fluctuations and the effects of pumping. Therefore, it can be assumed that withdrawals do not exceed recharge.

Since a future use permit reserves a definite amount of water with a specified priority date, the appropriation for these permits was essentially made June 28, 1957, when the future use permit was approved. However, prior to construction of works and putting water to beneficial use, a permit to develop the reserved water must be approved. Approval of this application will not impact the amount of unappropriated water remaining in the aquifer.

Declaratory ruling:

On November 14, 1991, through a declaratory ruling, the Water Management Board (Board) established a limitation on the annual withdrawals due to pumping by Water Permit/Right holders from the Sioux Falls Management Unit of 32,200 acre-feet per year (ac-ft/yr).

Water use from the Sioux Falls Management Unit in the future will be limited to a total withdrawal of 32,200 ac-ft/yr. When this limit is approached, water use will be restricted on a priority basis until withdrawals do not exceed 32,200 ac-ft/yr. The practical effect of the 32,200 ac-ft/yr limit allows for management of the aquifer, and on a priority basis if necessary.

At the current level of development, it is not likely that withdrawals from appropriative users will equal 32,200 acre-feet per year. However, development of the 11,762 acre-feet per year that has been reserved for future use from the management unit (see table 1) could cause pumping to approach the established annual limitation. When pumping approaches this limit water use will be restricted on a priority basis so withdrawals do not exceed 32,200 acre-feet annually.

Permit No.	Holder	Reservation (ac-ft/yr)
448-3	Sioux Falls	6,929
4838-3	MCWC	33
5523-3	Sioux Falls	4,050
5716-3	MCWC	750
Total		11,762

Table 2

In 1991, the Water Management Board approved a reservation for future use by the City of Sioux Falls, (Permit No. 5523-3) from the Sioux Falls Management Unit for an amount that was considerably less than had been applied for. In its consideration of this future use permit the Board concluded, "it is prudent to not allocate all water arguably available so as to accommodate any increase in lawful use of water already under permit". The Board left a "contingency for expansion of use under existing legal rights and a contingency for expansion of present and new systems" amounting to 1,866 ac-ft/yr.

On March 3, 1993, the Water Management Board approved a future use permit (No. 5716-3) for Minnehaha Community Water Corporation. The permit reserves 750 ac-ft/yr from the Sioux Falls management unit. The Water Management Board approved two Temporary Permits (No. 5966-3 and No. 5967-3) for Michael Williams on March 6, 1997. These permits appropriate an additional 447.6 ac-ft/yr from the Sioux Falls management unit. In 1997 the Board approved Temporary Water Permit No. 6008-3, which appropriates 138 ac-ft/yr. The amount of water remaining available for expansion under existing water rights and expansion of systems after these appropriations is 530.4 ac-ft/yr. The best information available at this time indicates that when this contingency is appropriated, the aquifer will be fully appropriated.

Effects on Existing Rights:

Unlawful impairment of groundwater rights may be due to "well interference", which is the overlapping of drawdown cones of depression of two or more wells; or from a "cumulative affect" in which the water level throughout the entire aquifer are lowered, as the result of an extended interim between withdrawal and recharge causing an "overdraft" from storage. In either case mitigation may be necessary, if the pumping authorized by junior priority rights is to continue.

Well interference:

Any interference with these wells is not expected to be adverse since the aquifer is under unconfined conditions. Within an unconfined aquifer, drawdown caused by individual well pumping is not significant except in the immediate vicinity of a production well.

Cumulative affect:

Although the Board has established an annual withdrawal limitation of 32,200 ac-ft/yr, the potential of adverse impact to existing rights is independent of the amount of water that can be appropriated from the aquifer. Water rights could be adversely impacted even though substantially less than 32,200 acre-feet per year is pumped. The Board adopted a declaratory ruling on November 14, 1991 stating (in part):

"That private domestic wells are being impacted and deprived of reasonable use of water for domestic purposes by appropriative permit holders' withdrawals from the Big Sioux Aquifer: Sioux Falls Management Unit."

The City of Sioux Falls offered a seven-point proposal that would eliminate the problem addressed in the declaratory ruling issued November 14, 1991. Since the problem was addressed and corrected through the proposal, the board did not need to order mitigation.

Following the declaratory ruling, the Board approved a reservation for future use by the City of Sioux Falls, (Permit No. 5523-3). The consequence of the declaratory ruling was the inclusion of the following qualification on the permit:

"If development and pumping of Sioux Falls Management Unit of the Big Sioux Aquifer water reserved by Future Use Permit No. 5523-3 results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04."

Special Consideration:

On June 28, 1957 the Water Rights Commission (now known as the Water Management Board) approved Future Use Permit No. 448-3. This permit claimed 46.8 cfs from the Sioux Falls Management Unit for future use by the City of Sioux Falls. At the present time, 6,929 ac-ft/yr remains reserved by this permit.

Other parties have filed ten applications to appropriate water from within the area specified by Future Use Permit No. 448-3. They include:

Application No.	Applicant	Hearing Date
656-3	Clarence Machmiller	8/28/59
1270-3	R.C. Sweetman	5/18/66
1271-3	E.M. Sweetman	5/18/66
2047-3	Val K. Beckman (Midway Farms, Inc.)	5/15/74
1968-3	Gene Williams	1/22/75
2244-3	Dale Swartz	5/22/75
4034-3	E.M. Sweetman	7/27/77
5966-3	Michael G. Williams	3/6/97
5967-3	Michael G. Williams	3/6/97
6008-3	Herman Brende	7/31/97

Pursuant to SDCL 46-5-39, these applications (with the exception of Application No. 1968-3), were approved as temporary permits. Each of these Water Rights contain the following qualification:

“The City of Sioux Falls has priority Rights to this water under Future Use Withdrawal Permits, and this application is approved subject to these prior rights if or when the city develops the reserved water supply.”

SDCL 46-5-39 allows the Water Management Board to authorize a temporary appropriation of the water from the unused portion of a future use permit; however, 46-5-40 states that the temporary permit would be effective only until such time as the future use holder wants to use the water covered by the temporary permit. The temporary permit holder would then be given six months notice and his permit would be canceled at the end of six months.

On January 22, 1975, the Water Rights Commission considered Application No. 1968-3, Gene Williams. The application proposed to appropriate 4.72 cfs from three wells completed into the Sioux Falls Management Unit to irrigate 333 acres. The proposed wells were to be located within the area specified by Future Use No. 448-3 and the Commission considered approving the application as a temporary permit.

The Commission discussed potential problems for the Sioux Falls well field operation even with the issuance of temporary permits from the Sioux Falls Management Unit. Some of the variables the city must contend with in managing its well field (and presumably the entire management unit), were discussed. These variables included: recharge; water in storage in the aquifer; and how does a junior appropriator “control his withdrawals so there is not a reduction of needed water supplies for senior water rights”. The Commission deferred action on Application No. 1968-3 and directed the Commission staff to “conduct a study of the future use statutes and give consideration to the time limitation involved.”

On May 22, 1975, following discussion, another application (No. 2244-3) was approved from the management unit as a Temporary Permit. The diversion points proposed by Application No. 2244-3 are approximately 4 miles north of the diversion points proposed by Application No. 1968-3. One of the three wells proposed by

Application No. 2244-3 was within the area specified in Future Use Permit No. 448-3 and the application was approved as a Temporary Permit. Water Permit Application No. 1968-3 was withdrawn in 1997 as a condition for approving Permits No. 5966-3 and 5967-3.

CONCLUSIONS:

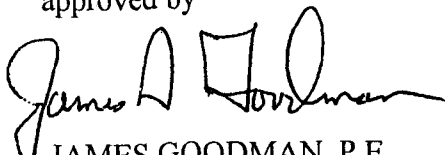
1. Water Permit Applications 6214-3 and 6215-3 propose to place to beneficial use 1,611 acre-feet of water annually, with a maximum diversion rate of 5.02 cfs. This water was appropriated and reserved by Future Use Permit No. 448-3.
2. A total of 5,318 acre-feet of water annually will remain reserved from the Sioux Falls management unit with Future Use Permit No. 448-3 if Water Permit Applications 6214-3 and 6215-3 are approved.
3. The appropriation for these permits was essentially made June 28, 1957, when Future Use Permit 448-3 was approved. The availability of unappropriated water from the Sioux Falls management unit will not be affected by approval of these applications.
4. There is a reasonable probability these appropriations can be made without adversely affecting existing rights.
5. Ten temporary permits have been approved pursuant to SDCL 46-5-39 from within the area specified by Future Use Permit No. 448-3.
6. Since the Water Management Board's November 14, 1991 "Declaratory Ruling Regarding the Decline of the Water Levels in Private Domestic Wells in the Big Sioux Aquifer: Sioux Falls Management Unit", new appropriations from the management unit have included the following qualification:

"If development and pumping of Sioux Falls Management Unit of the Big Sioux Aquifer water appropriated by this permit results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04."



KEN BUHLER
Natural Resources Engineer

approved by



JAMES GOODMAN, P.E.
Natural Resources Engineer

REFERENCES:

- Barari, A., Iles, D., Cowman, T., 1989, Assessment of Water Resources and Conceptual Evaluation of a Regional Water Supply for Southeastern South Dakota, SD Dept. of Environment and Natural Resources, Geological Survey Program, Open-File Report 60-UR, Vermillion, SD
- Hedges, L.S., Burch, S., Iles, D., Barari, R., Schoon, R., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Hedges, L.S., Burch, S., Iles, D., 1983, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 6: Average Annual Water Use by Aquifer, U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
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- Water Rights Program, 2000_a, "Irrigation Summary By Aquifer", DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program, 2000_b, "Observation Well Files", DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program, 2000_c, "Water Permit/Right Files", DENR-Water Rights Program, Joe Foss Building, Pierre, SD



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6215-3, City of Sioux Falls**

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. 6215-3, City of Sioux Falls, c/o Randy Janssen, 224 West 9th Street, Sioux Falls, SD 57104.

The Chief Engineer is recommending APPROVAL of Application No. 6215-3 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. If development and pumping of Sioux Falls Management Unit of the Big Sioux Aquifer water appropriated by this permit results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.
2. Water Permit No. 6215-3 authorizes a total annual diversion of 1,193 acre feet of water.
3. The City of Sioux Falls shall report to the Chief Engineer annually the amount of water withdrawn from the Sioux Falls Management Unit of the Big Sioux Aquifer.

See report on application for additional information.

Garland Erbele, Chief Engineer
August 17, 2000



**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 NEWSPAPERS RIGHT AWAY.

August 18, 2000

Randy Janssen, Water Superintendent
City of Sioux Falls
224 West 9th St
Sioux Falls SD 57104

Dear Mr. Janssen:

Water Permit Application Nos. 6210-3, 6214-3 and 6215-3 for municipal use have been examined and found to comply with the South Dakota Water Laws and applicable rules. Two notices have been sent to the Publishers of the Argus Leader (Ph # 605 331-2200) and the Sioux Valley News, Canton SD (Ph # 605 987-2631). For your information, copies of the notices, the recommendations of the Chief Engineer and reports on the applications 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 the Notice of Hearings 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 18, 2000

Argus Leader
PO Box 5034
Sioux Falls SD 57117-5034

ATTENTION: Legal Public Notice

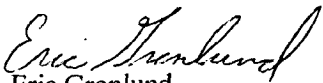
Enclosed is a Notice of Application No. 6214-3 and 6215-3 to Develop Reserved Water to be published twice. Please publish the first notice on August 24, 2000 with the second publication 7 days later.

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 the City of Sioux Falls, 224 W 9th St, Sioux Falls SD (Ph # 605 367-7025).

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. 6214-3 and 6215-3

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

Date _____

We are in receipt of your letter of August 18, 2000 enclosing Notice of Hearing to Appropriate Water by Application No. 6214-3 and 6215-3 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 57501-3182
www.state.sd.us/denr

August 18, 2000

Sioux Valley News
Box 255
Canton SD 57013-0255

ATTENTION: Legal Public Notice

Enclosed is a Notice of Application Nos. 6214-3 and 6215-3 to Develop Water to be published twice. Please publish the first notice on August 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 the City of Sioux Falls, c/o Randy Janssen, 224 W 9th St, Sioux Falls SD (Ph # 605 367-7025).

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

-----CUT HERE-----

No. 6214-3 & 6215-3

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

Date _____

We are in receipt of your letter of August 18, 2000 enclosing Notice of Hearing to Appropriate Water by Application No. 6214-3 & 6215-3 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 August 24, 2000 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 6214-3 and 6215-3 to Develop Reserved Water

Notice is given that the City of Sioux Falls, c/o Randy Janssen, 224 West 9th St, Sioux Falls SD 57104 has filed the following applications for a water permit.

Application No. 6214-3 requests to construct and place to beneficial use 1.45 cubic feet of water per second (cfs) [418 acre-feet of water annually] from one well (Big Sioux:Sioux Falls Aquifer) 42 feet deep located in the SW ¼ NE ¼ Section 5-T102N-R49W. This water was appropriated and reserved by Future Use Permit No. 448-3.

Application No. 6215-3 requests to construct and place to beneficial use 3.57 cfs (1,193 acre-feet) from one well (Big Sioux:Sioux Falls Aquifer) 37 feet deep located in the NW ¼ SW ¼ Section 33-T103N-R49W. This water is also appropriated and reserved by Future Use Permit No. 448-3. Both of these applications are requesting water for municipal use by the City of Sioux Falls in Minnehaha and Lincoln Counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6214-3 and 6215-3 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 these applications or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing these applications 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 these applications 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 September 11, 2000.

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

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Christy Duncan 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

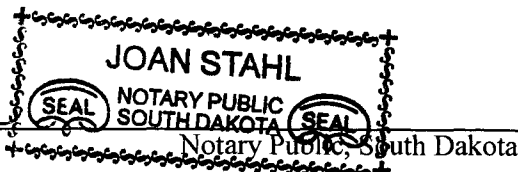
Thursday	, the	24	day of	August	2000,
Thursday	, the	31	day of	August	2000,
	, the		day of		2000,
	, the		day of		2000,
	, the		day of		2000,
	, the		day of		2000,
	, the		day of		2000,

and that \$86.97 was charged for publishing the same.

Christy Duncan

Subscribed and sworn to before me August 31, 2000.

Joan Stahl



My Commission expires June 30, 2005



City Business

NOTICE OF APPLICATION
NOS. 6214-3 and 6215-3 to
Develop Reserved Water

Notice is given that the City of Sioux Falls, c/o Randy Janssen, 224 West 9th St., Sioux Falls, SD 57104 has filed the following applications for a water permit.

Applicant No. 6214-3 requests to construct and place to beneficial use 1.45 cubic feet of water per second (cfs) [418 acre-feet of water annually] from one well (Big Sioux: Sioux Falls Aquifer) 42 feet deep located in the SW1/4 NE1/4 Section 5-T102N-R49W. This water was appropriated and reserved by Future Use Permit No. 448-3.

Application No. 6215-3 requests to construct and place to beneficial use 3.57 cfs (1,193 acre-feet) from one well (Big Sioux: Sioux Falls Aquifer) 37 feet deep located in the NW1/4 SW1/4 Section 33-T103N-R49W. This water is also appropriated and reserved by Future Use Permit No. 448-3. Both of these applications are requesting water for municipal use by the City of Sioux Falls in Minnehaha and Lincoln Counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6214-3 and 6215-3 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 these applications or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing these applications 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 these applications 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 September 11, 2000.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting these applications, 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. Steven M. Pimer, Secretary, Department of Environment and Natural Resources.

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:

APPLICATION 6214-3

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

AUGUST 24, 2000
AUGUST 31, 2000

that the full amount of the fees charged for publishing the same to-wit: the sum of **\$46.44** insures 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
31st day of AUGUST, 2000

Jeanne M. Limoges
Notary Public, South Dakota

(Seal)

Jeanne M. Limoges
My Commission Expires
November 18, 2003

NOTICE OF APPLICATION NOS. 6214-3 AND 6215-3

TO DEVELOP RESERVED WATER

Notice is given that the City of Sioux Falls, c/o Randy Janssen, 224 West 9th Street, Sioux Falls SD 57104 has filed the following applications for a water permit.

Application No. 6214-3 requests to construct and place to beneficial use 1.45 cubic feet of water per second (cfs) (418 acre-feet of water annually) from one well (Big Sioux: Sioux Falls Aquifer) 42 feet deep located in the SW1/4NE1/4 Section 5-T102N-R49W. This water was appropriated and reserved by Future Use Permit No. 448-3.

Application No. 6215-3 requests to construct and place to beneficial use 3.57 cfs (1,193 acre-feet) from one well (Big Sioux: Sioux Falls Aquifer) 37 feet deep located in the NW1/4SW1/4 Section 33-T103N-R49W. This water is also appropriated and reserved by Future Use Permit No. 448-3. Both of these applications are requesting water for municipal use by the City of Sioux Falls in Minnehaha and Lincoln Counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6214-3 and 6215-2 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 these applications or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing these applications 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 these applications 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 East Capitol, Pierre SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by September 11, 2000.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting these applications, and the signature and a 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. Steven M. Pirner, Secretary, Department of Environment



NOV 15 2000

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Randy Janssen, Water Superintendent
City of Sioux Falls
224 W 9th St
Sioux Falls SD 57104

Dear Mr. Janssen:

Enclosed are Water Permit Nos. 6210-3, 6214-3 and 6215-3 authorizing construction of the city's water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, are 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

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

Date 12/18/00

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



FROM: City of Sioux Falls

(name)

 224 West Ninth Street

(address)

 Sioux Falls, SD 57104

(city, state, zip)

(605)367-7040

(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. 6215-3 states that the water use system is to be constructed by

September 11, 2005

(date)

, and water is to be put to beneficial use by

September 11, 2009

(date)

The water use system was completed on October 1, 2000

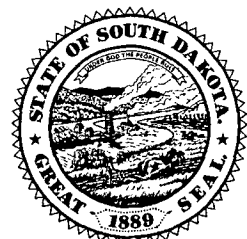
(date)

Applying the water to beneficial use was completed on October 2, 2000

(date)

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

Randy Jansen
(signature)
Water Dept.



Permit No. 6215-3
Big Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **July 24, 2002**, made a thorough examination of the water use system constructed by **City of Sioux Falls** of **224 West 9th St., Sioux Falls SD 57104** holder of Permit No. **6215-3**, bearing the priority of **April 8, 1957** authorizing the diversion of **3.57** cu. ft. per second and/or **1,193** acre-feet annually of the waters of **Big Sioux: Sioux Falls Aquifer** for **municipal use** purposes, in **Minnehaha** County.

Inspection contact & relationship to permit holder, if applicable: **Randy Janssen, Water Superintendent for the City of Sioux Falls.**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Collector Wells International, Inc.**
- 2) No. of Wells **1**
- 3) Depth(s) **39.5** feet
- 4) Well log is available **yes**
- 5) Comment: **City well #70 is a horizontal collector well.**

Vertical Casing:

- 1) Diameter **120** inches I.D.
- 2) Length **38.5** feet
- 3) Type **reinforced concrete**

Horizontal Screen: Consists of 4 laterals.

- 1) Type **stainless steel**
- 2) Length **112', 70', 112', and 84' for a total of 378'** feet
- 3) Static water level **16.4** feet

Pump:

- 1) Make **Gould**
- 2) Model **14RJLO-42 stage**
- 3) Size **10"**
- 4) Capacity **1,000** GPM

Motor:

- 1) Make U.S. Electric
- 2) Model No. _____
- 3) Horsepower rating 40 hp

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

- 1) Type pvc
- 2) Size 8 inches
- 3) Length 90 feet

C. Works used to apply water to beneficial use: Municipal water supply for the City of Sioux Falls.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by yes

The system is in good condition with the point of diversion located as follows: 2,240' N and 500' E of the SW corner of Section 33-T103N-R49W. The works are capable of diverting and conveying to the place of use 2.22 cu. ft. per second of water and/or 1,193 acre-feet of water annually which is to be used for municipal use. Water has been put to beneficial use to the maximum extent as follows: **Municipal water supply for the City of Sioux Falls.**

The license should be issued for 2.22 cfs and/or 1,193 acre-feet of water annually.

All structures, wells and lands on map yes

Comments or other permit(s) associated with the project: Permit No. 6215-3 places to beneficial use 1,193 acre-feet annually from Future Use Permit No. 448-3.



Lynn Beck

Natural Resources Engineer Specialist
DENR, Water Rights Program

Date report completed: October 16, 2002

WATER RIGHT NO. 6215-3

City of Sioux Falls



Lynn Beck

Lynn Beck
Natural Resources Engineer Specialist
DENR, Water Rights Program
October 16, 2002



South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6215-3

(1) The City of Sioux Falls, 224 W 9th St, Sioux Falls SD 57102 made Application No. 6215-3, June 12, 2000 for a water permit to divert 3.57 cubic feet of water per second (1,193 acre-feet annually) from groundwater (one well), Minnehaha County, South Dakota for municipal purposes. Permit No. 6215-3, with a priority date of April 8, 1957 (established by Future Use No. 448-3) was approved September 11, 2000 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 11, 2005 and for the application to beneficial use of water on or before September 11, 2009.

(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. 6215-3 is issued a license, bearing a priority date of April 8, 1957 to appropriate 2.22 cubic feet of water per second (1,193 acre-feet annually) from groundwater (one well) for municipal purposes.

The diversion point is located as follows:

Well # 70 – 2,240 feet north and 500 feet east of the southwest corner **Section 33-103N-R49W (NW ¼ SW ¼)**

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6215-3 including the following qualifications:

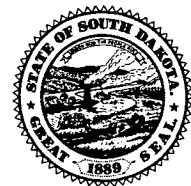
- If development and pumping of Sioux Falls Management Unit of the Big Sioux Aquifer water authorized by this permit results in adverse impairment of adequate domestic wells or adequate wells having prior water rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.
- Water Permit No. 6215-3 authorizes a total annual diversion of 1,193 acre-feet of water.
- The City of Sioux Falls shall report to the Chief Engineer annually the amount of water withdrawn each year from the Sioux Falls Management Unit of the Big Sioux Aquifer.

Garland Erbele

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

JUN 20 2003

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 20 2003

Randy Jenssen
Sioux Falls Water Superintendent
2100 N Minnesota Ave
Sioux Falls SD 57104

Dear Mr. Jenssen:

Enclosed are Water License Nos. 5213-3, 5214-3, 5431-3, 5611-3, 5612-3, 5614-3, 5615-3, 5726-3, 6210-3, 6214-3 and 6215-3 for the City of Sioux Falls. A map prepared by Lynn Beck is also included for each permit as well as receipts for payment of the license fees.

These are the final water right documents completing the city's process of obtaining Water Rights.

As long as the city uses the water beneficially, as stated in the Water Licenses, State Water Laws provide a continuing right to use the water.

Sincerely,

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

NOTE: The applicable portions of No. 5334-3 are incorporated into Water License No. 6210-3.
The applicable portions of Nos. 2923-3 and 5613-3 are incorporated into Water License No. 5726-3.

enclosures