

WATER PERMIT NO. 6270-3

Name of Applicant: Dakota Plastics, Co.

Address: PO Box 52, Watertown SD 57201

Phone: 605 886-6851

Amount of Water Claimed: 0.22 cfs (100 gpm)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: industrial use

County: Codington

Type of Waste Disposal System: drain field

Location: in Watertown

PRIORITY

Date Received: 7-17-2001

Fee: \$225

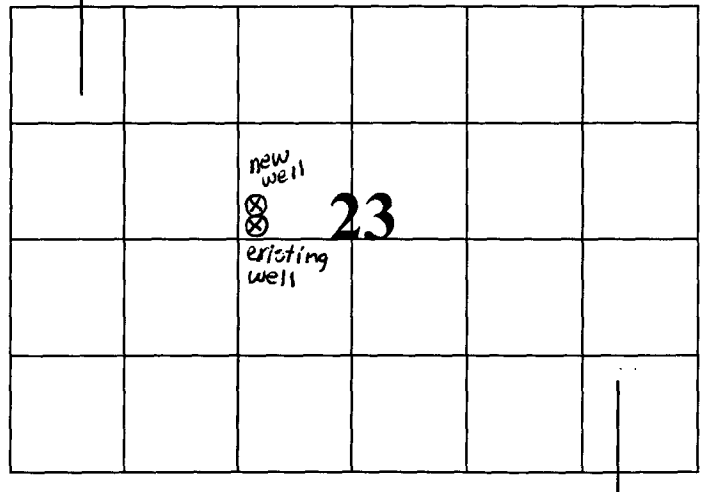
Corrected Application Received::

Period of Annual Use: January 1 – December 31

Remarks: Requests an additional well see Water Right No. 5131-3

Diversion Point: SE ¼ NW ¼ Sec 23-T117N-
R53W

Land to be Irrigated: NA



Depth of Well: approximately 26 feet deep

Well Driller: :

Remarks:

Type of Map: plat

Prepared by: Ardell E. Asson

Reviewed and the Number Assigned on: 7-17-2001

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 6270-3

Date of first receipt of application July 17, 2001.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6270-3 to Dakota Plastics Co., PO Box 52, Watertown SD 57201 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. 6270-3 appropriates 0.22 cubic feet of water per second (100 gallons per minute) from one well (Big Sioux: North Aquifer) approximately 26 feet deep located in the SE ¼ NW ¼ Section 23-T117N-R53W.
2. The water appropriated shall be used for the purpose of supplying water for industrial 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. 6270-3 is September 10, 2001.
5. The date from which applicant may claim right is July 17, 2001.
6. One-fifth of the construction is to be completed on or before March 10, 2003.
7. All construction is to be completed on or before September 10, 2006.
8. Water is to be put to beneficial use on or before September 10, 2010.
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. The well authorized by Permit No. 6270-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.

WATER MANAGEMENT BOARD

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

NOV 07 2001

date



FORM 2: Application for uses other than irrigation
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6270-3</u>	(office use only) Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Public Opinion, Watertown</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.

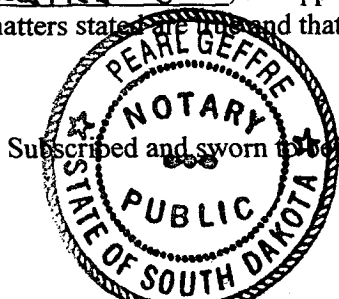
Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)
add one more diversion point

- Name of Applicant Dakota Plastics Co. Phone 605-846-6851
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 52 Watertown State SD 57201
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 100 *CFS or .22 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply well, Big Sioux Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
One more well in SE 1/4 NW 1/4 Section 23 - T117N - R53W
County Codington
- County or counties where water will be used Codington
- Annual period during which water is to be used January 1 thru 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)

STATE OF SOUTH DAKOTA)
County of Codington 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, Dakota Plastics by Steve Koistinen, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.



Applicant's signature Steve Koistinen
Subscribed and sworn to before me this 13th day of July 2001

Pearl Geffre June 20, 2002
Notary Public signature

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 26'
- b) Casing Type Plastic Diameter 12" Thickness .49"
- c) Screen Type Plastic Slotted Diameter 12" Thickness .49"
- d) Gravel Pack 6" Length of Gravel Pack 14'
- e) Depth to Top of Water Bearing Material 16'
- f) Depth to Water (ground surface to water level) 16'
- g) Distance to nearest existing domestic well:

On applicants property 150' to the south On property owned by others don't know of any other operating wells close by.

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) existing drain field
- b) System Capacity (gallons) _____ Year Constructed 1987
- c) Connected to the City of _____ Sanitary System _____

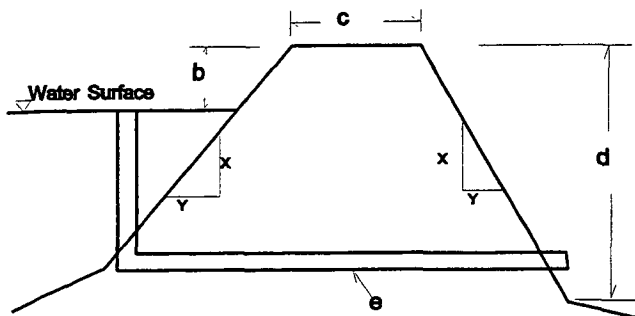
3. Dugout Information

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

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

10-85

5131-3

1/4 Sec 1/4 Sec Twp Rg
F of S 310/05 Lots A, B, C, D, E, F, G, H
Division of Lots 5+6 by Industrial Addition to
North City of WTD.

Dington

Mark well with

W E

1 mile

Completion Date 7-1-87

USE:
Domestic ☐ Municipal ☐ Test Holes
Irrigation ☒ Industrial ☐ Stock
(Cooling)

Method of Drilling:
Drilling

Well DATA:
Casing ☒ Plastic ☐ Other
Describe

WEIGHT DIAMETER FROM TO HOLE DIAMETER
LB/FT 12 IN 0 FT 21 FT 24 IN
LB/FT 12 IN 20 FT 30 FT 24 IN
LB/FT _____ IN _____ FT _____ FT _____ IN
LB/FT _____ IN _____ FT _____ FT _____ IN

Is well grouted? ☒ YES ☐ NO
To what depth? 12 ft FEET
Grouting material? Bentonite
Amount, number of sacks? Cr24215-Dry
Grouting procedure

Grout weight? _____ LB/GAL

Pipe ☐ Perforated pipe ☒ Manufactured
Diameter 12 IN Length 5 FEET
Size 080 Set From 22 Feet To 27 Feet
Size _____ Set From _____ Feet To _____ Feet
Size _____ Set From _____ Feet To _____ Feet
Information

Packer or seal used? ☐ YES ☒ NO
What material?
Packer(s) and location?

Well disinfected upon completion? ☒ YES ☐ NO
Disinfectant Hexachlorinated before
Microbiological analysis ☐ YES ☒ NO
Laboratory sent to

Well Owner:
Name Dakota Plastics
Address Lake Air Industrial Park
Well Log: Watertown, S.D. Depth
Formation From To
Black Soil 0 2
Yellow Clay 2 5
Yellow Gravel }
Coarse } 5 26
Yellow Clay 26 30

STATIC WATER LEVEL 16 Feet
If flowing: closed in pressure _____ PSI
GPM flow _____ through _____ inch pipe
Controlled by ☐ Valve ☐ Reducers ☐ Other
If other, specify _____
Can well be completely shut in?

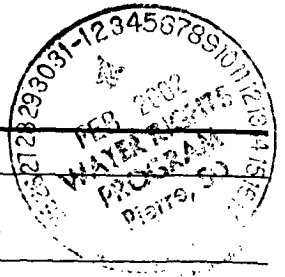
WELL TEST DATA:
☒ Pumped _____
☐ Bailed Describe: _____
☐ Other _____
Pumping Level Below Land Surface
20 ft. After 15 Hrs. pumped 60 GPM
_____ ft. After _____ Hrs. pumped _____ GPM
_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

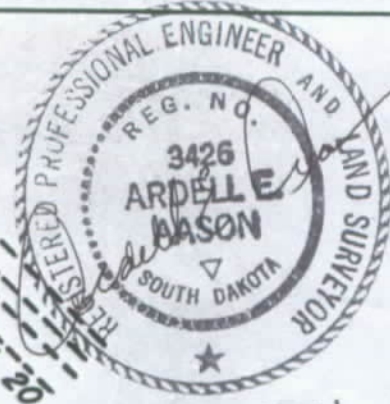
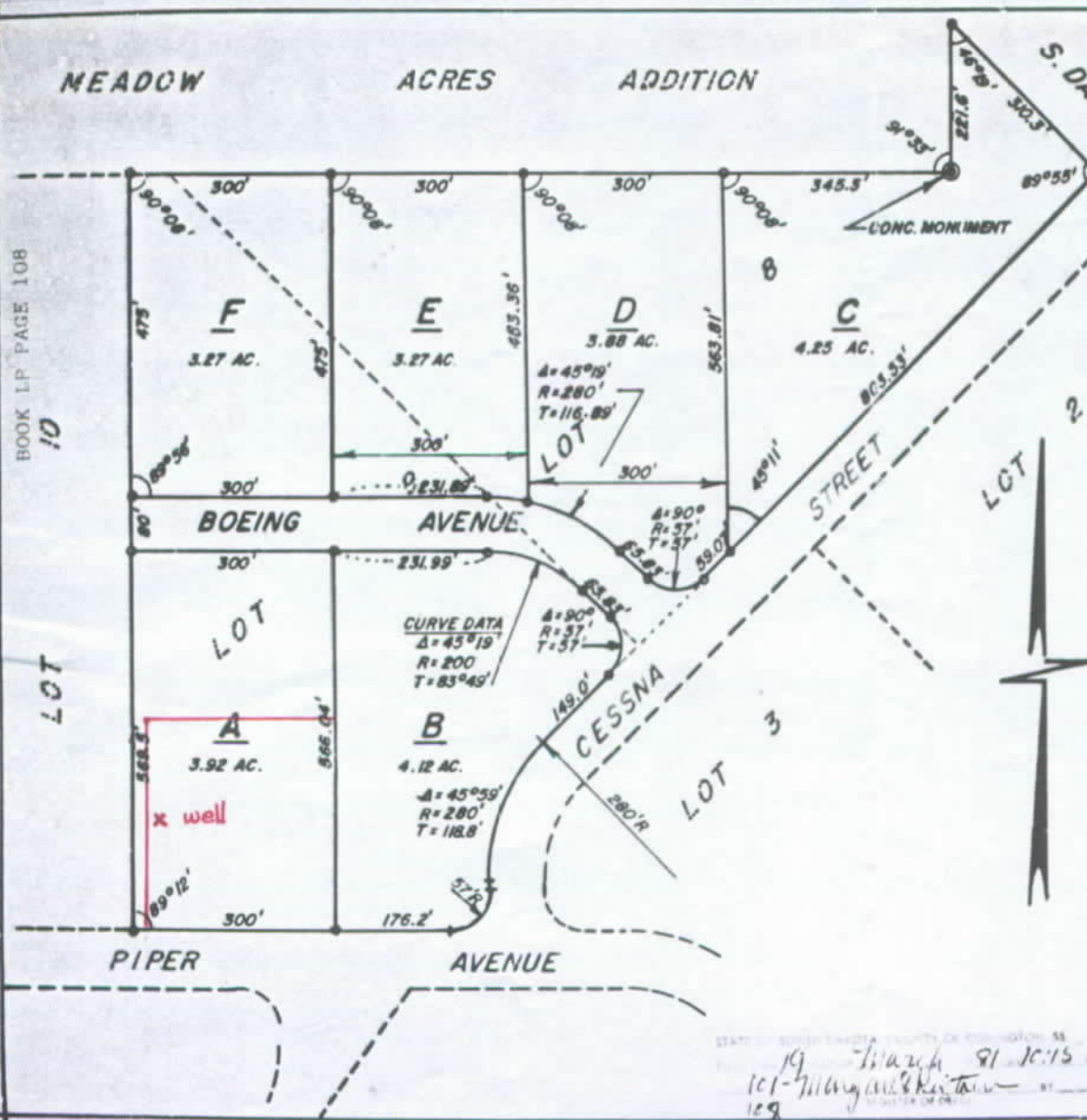

This well was drilled under license # 4
And this report is true and accurate.
Drilling firm Bullis Bros.
Signature of License Representative: Se Roy Bullis
Signature of Well Owner:
Date 7-1-87

07-92

Date: 11-12-01



Dakota Plastics E 280' S 310' of Lot A Subd of Lots 8-9 Industrial Addition



7-12-2001

PLAT OF:

LOTS A, B, C, D, E AND F, A SUB-DIVISION OF LOTS 8 AND 9 OF INDUSTRIAL ADDITION TO THE CITY OF WATERTOWN.

John D. Babcock
 REG. PROF. ENG. & LAND SURVEYOR
 SCALE 1" = 200' JAN. 8, 1981
 • • IRON PIN

STATE OF SOUTH DAKOTA, COUNTY OF BROWN, SS.
 I, *John D. Babcock*, Surveyor, do hereby certify that the foregoing is a true and correct copy of the original plat as filed in my office.
 101-119-10-15
 101-119-10-15
 101-119-10-15

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

416866

Pierre, July 17, 2001

RECEIVED OF Dakota Plastics Company, 2009 Piper Ave, PO Box 52, Watertown, SD 57201
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6270-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	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>6270-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	275 00

By Darlene E. Eide
Chief Engineer *gsm*

REPORT ON WATER PERMIT APPLICATION NO. 6270-3
for Dakota Plastics, Inc.
July 26, 2001

Application No. 6270-3 proposes to appropriate 0.22 cfs (100 gpm) from one well approximately 26 feet deep located in the SE 1/4 NW 1/4 of section 23, T117N R53W in Codington County. The water is used for industrial purposes.

AQUIFER - BIG SIOUX NORTH (BS-N)

The Big Sioux North is a surficial outwash (sand and gravel) which is under water table conditions in this area. The aquifer underlies 67,300 acres and contains an estimated 151,430 acre feet of recoverable water in storage in Codington County (Hedges, 1982). The aquifer is hydraulically connected to area lakes, Pelican and Kampeska, and to the Big Sioux River (Hansen, 1990). Ground water movement is from north to south and generally toward the Big Sioux River or area lakes.

Well information filed with the application and taken from Water Right No. 5131-3 indicates gravel (aquifer) from 5 feet to 26 feet and a static water level of 16 feet, all below land surface. The existing well was capable of producing 60 gpm with four feet of drawdown. This relates to a specific capacity of 15 gpm/ft of drawdown. A well similar to the existing well would be capable of producing 100 gpm but probably would not sustain this yield. It may be necessary to drill another well or to locate an area with a greater saturated thickness to increase the production rate at this site.

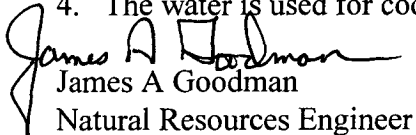
The Water Rights Program monitors three observation wells, CD-77F, CD-59A and CD-79A, all located within a three mile radius of this application. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. Hydrographs for these wells are included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2001).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing Water Right No. 5131-3 with a well located about 150 feet south of the well for this application. This application and the existing water right are both held by Dakota Plastics. Interference is not expected to be a concern. The diversion rates are relatively small and drawdown created by pumping should not be significant at these pumping rates and at this distance between wells. There is one other Water Right No. 5883-3 for Dakota Tube (John Steinbauer) which is located about 1000 feet east of this application. The well for Water Right No. 5883-3 appears to be completed into a different water source and interference is not a concern.

CONCLUSIONS

1. Water is available from the Big Sioux North aquifer.
2. The aquifer is under water table conditions in this area. Pumping at the rate requested by this application will not cause significant drawdown. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. The water is used for cooling purposes in the making of plastic products.


James A Goodman
Natural Resources Engineer

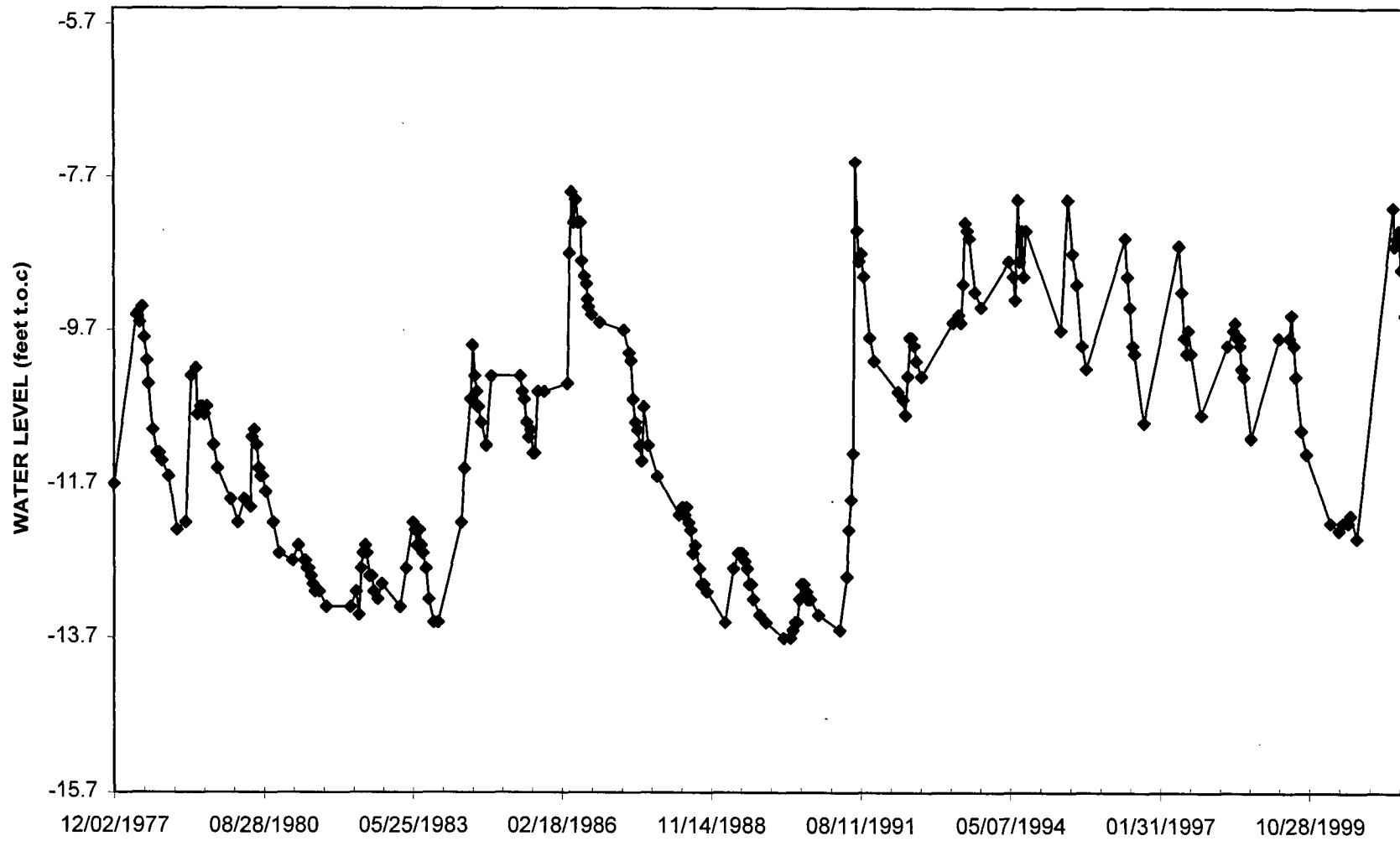
BIBLIOGRAPHY

Hansen, D.S., 1990, Water Resources of Codington and Grant Counties, South Dakota, WRI 89-4147, USGS, Huron, SD, 57350.

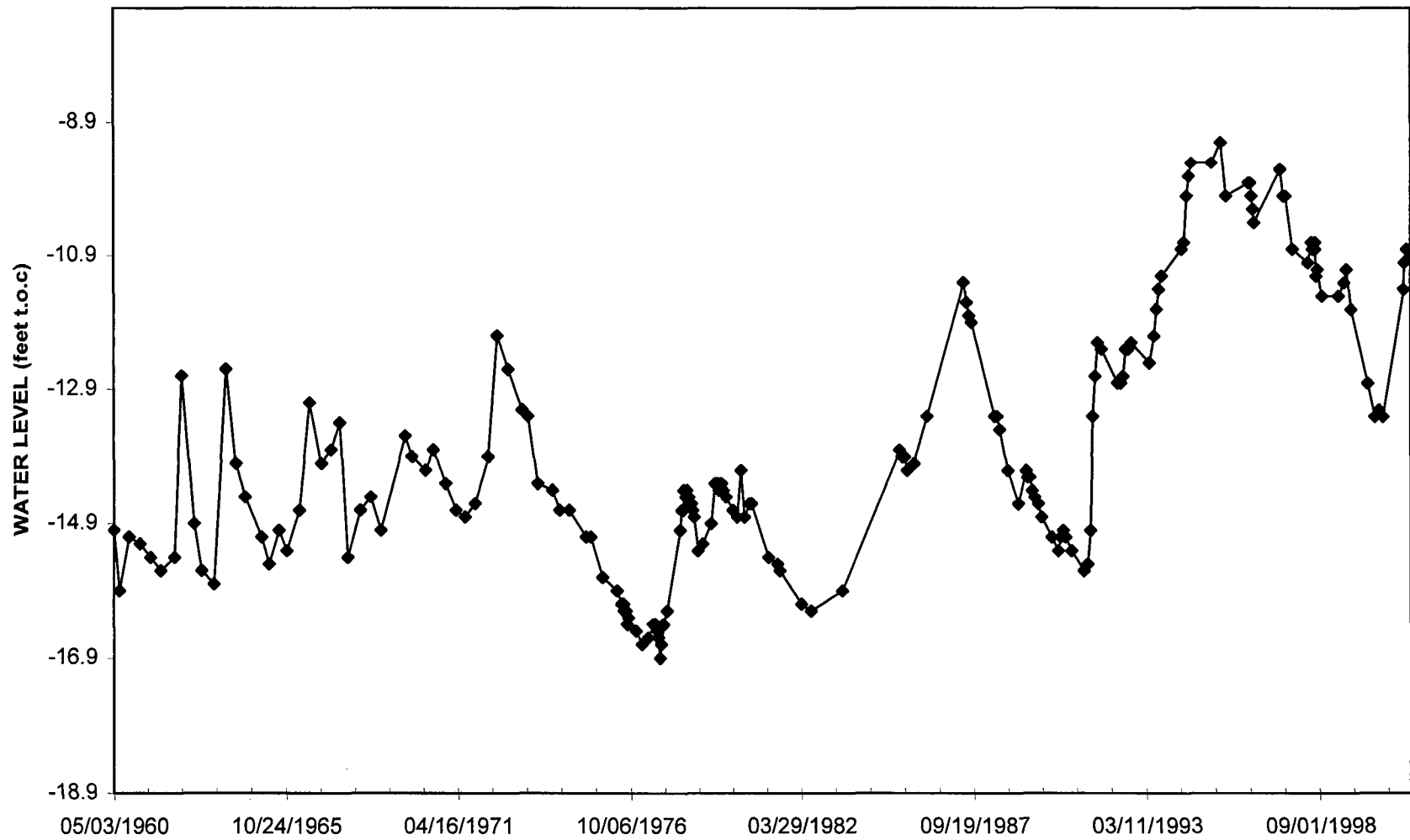
Hedges, L.S., etal., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2001, Unpublished Observation Well Data for Codington County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

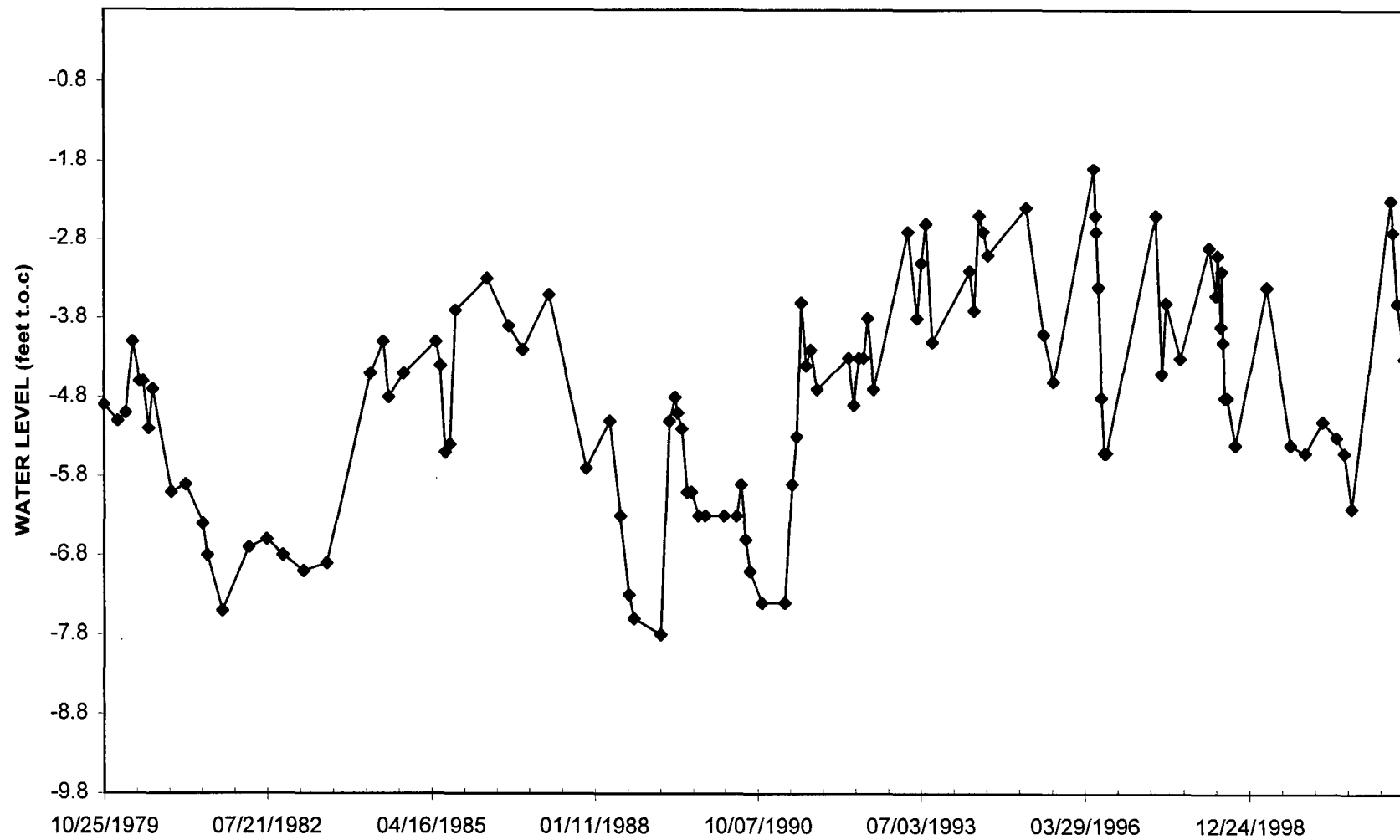
WATER RIGHTS' OBSERVATION WELL
CD-77F



**WATER RIGHTS' OBSERVATION WELL
CD-59A**



**WATER RIGHTS' OBSERVATION WELL
CD-79A**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6270-3, Dakota Plastics, Inc.**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6270-3, Dakota Plastics, Inc., c/o Steve Koistinen, PO Box 52, Watertown SD 57201.

The Chief Engineer is recommending APPROVAL of Application No. 6270-3 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:

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.

The well authorized by Permit No. 6270-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.

See report on application for additional information.

Garland Erbele, Chief Engineer
August 13, 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 14, 2001

Geiff Heig, Superintendent
Municipal Utilities Dept.
901 Fourth Avenue SW
Watertown SD 57201

Dear Mr. Heig:

Please find enclosed a copy of the report, recommendation and public notice for Water Right Permit Application No. 6270-3 filed by Dakota Plastics. The notice is scheduled to be published on August 22 and 29, 2001 in the Watertown Public Opinion.

This information is being sent to you because of your ongoing interest in water allocations in the Watertown area. Please feel free to contact me if you have any questions.

Sincerely,

Eric Gronlund
Water Rights Program
605 773-3352

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 14, 2001

Public Opinion
PO Box 10
Watertown, SD 57201-0010

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6270-3 to Appropriate Water to be published twice. Please publish the first notice on August 22, 2001 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 Dakota Plastics Co., % Steve Koistinen, PO Box 52, Watertown, SD 57201 (Ph # 605-886-6851).

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

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

No. 6270-3

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

Date _____

We are in receipt of your letter of August 14, 2001 enclosing Notice of Hearing to Appropriate Water by Application No. 6270-3 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

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

August 14, 2001

Dakota Plastics Co.
% Steve Koistinen
PO Box 52
Watertown, SD 57201

Dear Mr. Koistinen:

Water Permit Application No. 6270-3 for industrial 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 Public Opinion printed at Watertown, SD (Ph # 605-886-6901). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has also 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 August 22, 2001 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6270-3 to Appropriate Water

Notice is given that Dakota Plastics Co., PO Box 52, Watertown SD 57201 has filed an application for a water permit to appropriate 0.22 cubic feet of water per second (100 gallons per minute) from one well (Big Sioux: North Aquifer) approximately 26 feet deep located in the SE ¼ NW ¼ Section 23-T117N-R53W. The water is for industrial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6270-3 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 September 10, 2001.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Codington)

I, Monica K. Saathoff

certify that the attached printed Notice was
taken

from the Watertown Public Opinion

printed and published in Watertown

County of Codington and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

August 22nd, 2001

August 29th, 2001

Cost of Printing 81.22

Monica K. Saathoff
(Signature)

Bookkeeper

(Title)

August 29th, 2001

(Date Signed)

PIERRE

NOTICE OF APPLICATION NO. 6270-3 TO APPROPRIATE WATER

Notice is given that Dakota
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1/4 Section 23-T117N-R53W. The
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Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends
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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
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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
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"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
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The petition may be informal,
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describing the petitioner's interest
in the application, the petitioner's
reasons for opposing or
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signature and mailing address of
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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 and
Natural Resources

(August 22, 29, 2001)

7 81 22



MUNICIPAL UTILITIES DEPARTMENT

901 Fourth Avenue Southwest

WATERTOWN, SOUTH DAKOTA 57201-4107

PHONE (605) 882-6233

•

FAX (605) 882-6238



September 5, 2001

Eric Gronlund
Department of Environment and Natural Resources
Joe Foss Building 523 East Capitol
Pierre S.D. 57501-3182

RE: Water Right Permit Application No. 6270-3

Dear Mr. Gronlund:

This letter is to request that water right permit application No. 6270-3 be amended to be an application for a temporary appropriation under SDCL 46-5-39 (copy attached)

This well is in our future use area where our permits reserve the remaining capability of the Big Sioux North Aquifer.

We would not object to a temporary permit, and the temporary permit procedure would be consistent with other wells that have been developed in the area.

Thank you and please call if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeff DeVille".

Jeff DeVille
Water Superintendent
Watertown Municipal Utilities Dept.

Cc: Steve Koistinen, Dakota Plastics

46-5-38. Future use of water - Entities entitled to reservation. The following entities may reserve water for contemplated future needs upon a showing of availability of unappropriated water and future need pursuant to procedures set forth in chapter 46-2A:

- (1) A state institution, facility or agency;
- (2) A municipality as defined in § 9-1-1;
- (3) The South Dakota conservancy district or a water development district as defined in § 46A-2-4;
- (4) A water user district as defined in § 46A-9-2;
- (5) A nonprofit rural water supply company as defined in § 10-36A-1 engaged in the treatment, distribution and sale of water primarily for domestic purposes to a rural area. The term "rural area" may include a municipality;
- (6) A sanitary district as defined in chapter 34A-5;
- (7) An irrigation district as defined in chapter 46A-4; and
- (8) A water project district as defined in chapter 46A-18.

46-5-38.1. Future use of water - Permit required for actual use - Review of future use permits. Water management board approval of an application to appropriate water for future use is a reservation of a definite amount of water with a specified priority date and is not a grant of authority to construct the works or to put the water to beneficial use. Prior to the time that the holder of a future use permit initiates construction of the works and puts water to beneficial use, he shall file an application for a water permit pursuant to the procedure contained in chapter 46-2A. If the holder of the future use permit is granted a water permit to develop only a portion of the water reserved by the future use permit, he shall apply for and receive an additional water permit, or permits, before developing and using the remaining water reserved in the future use permit. Permits for future uses shall be reviewed by the board every seven years and shall be subject to cancellation if the board determines that the permit holder cannot demonstrate a reasonable need for a future use permit.

46-5-39. Temporary use permits - Authorization for. Before an entity described in § 46-5-38 is ready to use part or all of the water subject to a future use permit or permits, temporary appropriations may be made of the water. Any person desiring to appropriate the water shall make an application to the chief engineer for a temporary permit pursuant to the procedure contained in chapter 46-2A.



The Chief Engineer has reviewed the Municipal Utilities Department's request to amend the application to be issued as a temporary permit pursuant to SDCL 46-5-39. However, a review by the Water Rights Program finds that this proposed diversion is not within the future use area of any of the three future use permits held by the Utility Department.

The December 5, 2001, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 19, 2001.

This hearing is an adversary proceeding. Any party of record and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Notice is further given to persons with disabilities that this hearing is being held in a physically accessible place and that interpreter services will be provided, upon request, during the hearing. Please notify Eric Gronlund at (605) 773-3352 by November 19, 2001, if you have any questions about the hearing process or have special needs for which the department will make arrangements.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-23; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

c: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on September 18, 2001, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated September 18, 2001 regarding Notice of Hearing on Water Permit Application #6270-3 addressed as stated below:

Steve Koistinen
Dakota Plastics Co.
PO Box 52
Watertown, SD 57201

Jeff Deville, Water Superintendent
Municipal Utilities Department
901 Fourth Avenue Southwest
Watertown, SD 57201-4107

A copy of the above described Notice was sent Inter-office to:

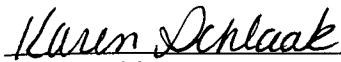
Diane Best, Assistant Attorney General, Capitol Building



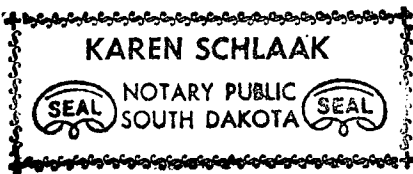
Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 19th day of September, 2001.



Karen Schlaak
Notary Public
My Commission expires April 1, 2007



MUNICIPAL UTILITIES DEPARTMENT

901 Fourth Avenue Southwest

WATERTOWN, SOUTH DAKOTA 57201-4107

PHONE (605) 882-6233

•

FAX (605) 882-6238



September 27, 2001

Eric Gronlund
Department of Environment and Natural Resources
Joe Foss Building 523 East Capitol
Pierre S.D. 57501-3182

RE: Water Right Permit Application No. 6270-3

Dear Mr. Gronlund:

After the discussions with you and other members of the Water Rights Program the Watertown Municipal Utilities has decided to retract our petition for the well that Dakota Plastics Co. has asked for. We will not be present to make comments at the December 5th hearing.

Thank you and please call if you have any questions.

Sincerely,

Jeff DeVille
Water Superintendent
Watertown Municipal Utilities Dept.

Cc: Steve Koistinen, Dakota Plastics Co.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 2, 2001

NOTICE

TO: Steve Koistinen
Dakota Plastics Co.
PO Box 52
Watertown SD 57201

Jeff Deville, Water Superintendent
Municipal Utilities Department
901 Fourth Avenue Southwest
Watertown SD 57201-4107

FROM: Garland Erbele, Chief Engineer
Water Rights Program 

SUBJECT: Notice of Issuance of Water Permit Application No. 6270-3, Dakota Plastics Company

The Municipal Utilities Department has retracted their petition in the matter of Water Permit Application No. 6270-3 filed by Dakota Plastics Company. Since the petition has been retracted, there will no longer be a December 5, 2001 hearing before the Water Management Board on this application as specified the notice of hearing sent to parties on September 28, 2001.

The Chief Engineer will now issue the water permit in accordance with the notice of application published August 22 and 29, 2001 in the Watertown Public Opinion. Water Permit No. 6270-3 will be issued to appropriate 0.22 cubic feet of water per second (100 gallons per minute) from one well (Big Sioux North Aquifer) approximately 26 feet deep located in the SE ¼ NW ¼ Section 23-T117N-R53W.

If you have any questions, please contact Eric Gronlund at (605) 773-3352.

c: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on October 2, 2001, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated October 2, 2001, regarding Notice of Issuance of Water Permit Application #6270-3 addressed as stated below:

Steve Koistinen
Dakota Plastics Co.
PO Box 52
Watertown, SD 57201

Jeff Deville, Water Superintendent
Municipal Utilities Department
901 Fourth Avenue Southwest
Watertown, SD 57201-4107

A copy of the above described Notice was sent Inter-office to:

Diane Best, Assistant Attorney General, Capitol Building



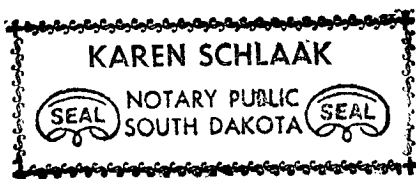
Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 2nd day of October, 2001.



Karen Schlaak
Notary Public
My Commission expires April 1, 2007





NOV 07 2001

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dakota Plastics Co.
Steve Koistinen
PO Box 52
Watertown, SD 57201

Dear Mr. Koistinen:

Enclosed is Water Permit No. 6270-3 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

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

Date 12-27-01

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

FROM: Dakota Plastics Company
(name)

2609 Piper Avenue
(address)

Watertown South Dakota 57201
(city, state, zip)

605 886-6851
(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. 6270-3 states that the water use system is to be constructed by

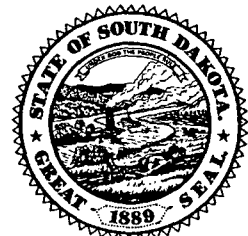
9-10-06 , and water is to be put to beneficial use by 9-10-10
(date) (date)

The water use system was completed on 12-14-01
(date)

Applying the water to beneficial use was completed on 12-16-01
(date)

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

Steve Koutinen
(signature)



Permit No. 6270-3
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, August 26, 2006, made a thorough examination of the water use system constructed by Dakota Plastics, Co of 2609 Piper Ave., Watertown, SD 57201 holder of Permit No. 6270-3, bearing the priority of July 17, 2001 authorizing the diversion of 0.22 cu. ft. per second of the waters of Big Sioux:North Aquifer for industrial purposes, in Codington County.

Inspection contact & relationship to permit holder, if applicable: **Steve McQuistion or Steve Koistinen (605) 886-6851**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Bullis Brothers
- 2) No. of Wells 2
- 3) Depth(s) 30 and 30.5 feet
- 4) Well log is available Y
- 5) Comment:

Casing:

- 1) Diameter 12 inches
- 2) Length 21 and 22.5 feet
- 3) Type Plastic

Screen:

- 1) Type Stainless
- 2) Length both 5 feet
- 3) Static water level 16 feet

Pump:

- 1) Make (3) Grundfos (2 pumps are installed in the additional well)
- 2) Model 25S10 Ser. Nos. 9531, 9421 and 8829
- 3) Size 1 hp
- 4) Capacity 32 GPM per pump.

Motor:

- 1) Make **(3) Franklin**
- 2) Model No(s). **82456904**
- 3) Horsepower rating **1** hp

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

- 1) Type **Plastic**
- 2) Size **1.25** inches
- 3) Length **210** feet

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by **Y**
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **NA**
- 3) Exceptions to compliance are: **None**

The system is in **good** condition with the point(s) of diversion located as follows:

Approximately 2485 feet south and 1500 feet east of the NW corner of Section 23-T117N-R53W (N 44.927233, W -97.162083).

Approximately 2485 feet south and 1490 feet east of the NW corner of Section 23-T117N-R53W (N 44.927233, W -97.162066).

The works are capable of diverting and conveying to the place of use **0.214** cu. ft. per second of water which is to be used for **industrial use**. Water has been put to beneficial use to the maximum extent as follows:

Water from the wells is pumped through cooling channels of steel molds in order to cool the molds when molding plastic items.

The license should be issued for **0.214** cfs.

All structures, wells and lands on map **Y**

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

Water Permit No. 6270-3 is capable of producing 0.142 cfs from an additional well located near an existing well authorized by Water Right No. 5131-3. Water Right No. 5131-3 appropriates 0.09 cfs from the Big Sioux:North aquifer located in the SE1/4 NW1/4 of Section 23-T117N-R53W. Both Water Permit No. 6270-3 and Water Right No. 5131-3 are authorized to appropriate water from the Big Sioux:North aquifer for use in cooling the steel molds when molding plastic items. An inspection report of Water Right No. 5153-3 dated May 7, 1991, indicated that

Report of Examination of Works
Permit No. 6270-3

there were 3 pumps in the one well capable of producing 0.09 cfs. At the time of the inspection on August 26, 2006, there was one pump in the well licensed under Water Right No. 5153-3 capable of producing 32 gpm, and two pumps in the additional well authorized by Water Permit 6270-3 capable of producing 64 gpm. Water Right No. 5153-3 should be incorporated into Water Permit No. 6270-3 authorizing the total combined diversion rate of 0.214 cfs (96 gpm) while each retaining their original priority dates of March 26, 1987 and July 17, 2001.



Mike DeFea
Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: **February 21, 2006**

Dakota Plastics, Co.
2609 Piper Ave.
Watertown, SD-Codington County
(605) 882-6851

Water Permit No. 6270-3



Mike DeFea
Mike DeFea
Natural Resources Engineer
DENR Water Rights Program
February 13, 2006



0 270 540 1,080 1,620 2,160 2,700 Feet



**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 07 2006

5131-3
6270-3

Steve Koistinen
Dakota Plastics Co
2609 Piper Avenue
Watertown SD 57201

Dear Sir:

Enclosed is Water License No. 6270-3 and a copy of the map prepared by the staff engineer who conducted the field investigation. The license is the final water right document completing your process of obtaining a Water Right.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6270-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures

Note: The applicable portions of Water Right No. 5131-3 have been incorporated into Water License No. 6270-3.

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6270-3**

(1) Dakota Plastics Company, 2609 Piper Avenue, Watertown SD 57201-0052 made Application No. 6270-3, July 17, 2001 for a water permit to divert 0.22 cubic feet of water per second (cfs) from ground water (one well – Big Sioux North Aquifer), Codington County, South Dakota for industrial purposes. Permit No. 6270-3, with a priority date of July 17, 2001 was approved September 10, 2001 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 10, 2006 and for the application to beneficial use of said water on or before September 10, 2010.

Water Right No. 5131-3, with a priority date of March 26, 1987, authorizes diversion of 0.09 cfs from one well. Water Permit No. 6270-3 authorized an additional well and diversion rate. The applicable portions of Water Right No. 5131-3 have been incorporated into Water Right No. 6270-3.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.214 cubic feet of water per second for beneficial use. The location of the diversion points are:

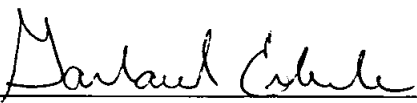
- Approximately 2,485 feet S & 1,500 feet E of the NW corner of Section 23, T117N, R53W (SE ¼ NW ¼);
- Approximately 2,485 feet S & 1,490 feet E of the NW corner of Section 23, T117N, R53W (SE ¼ NW ¼);

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Dakota Plastics Company, 2609 Piper Ave, Watertown SD 57201 the holder and/or owner of Incorporated Water Right No. 6270-3 is issued a license to appropriate water, the right to use 0.214 cubic feet of water per second from ground water (two wells – Big Sioux North Aquifer) with priority dates of March 26, 1987 (0.09 cfs) and July 17, 2001 (0.124 cfs) from the locations specified in (2) of this license. The water is diverted for the purpose of industrial use.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 6270-3 and subject to the following 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.
- The wells authorized by Permit No. 6270-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28 (*wells constructed and in use*)



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

APR 07 2006
date

