

SOUTH DAKOTA
WATER PERMIT NO. 6285-3

Date of first receipt of application November 2, 2001.

Date of return to applicant for corrections, amendments or changes November 5, 2001.

Date of receipt of corrected application December 14, 2001.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6285-3 to the City of North Sioux City, PO Box 338, N. Sioux City SD 57049 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. 6285-3 appropriates 0.89 cubic feet of water per second (386 acre feet annually) from one well (Dakota Formation) 300 feet deep located in the SE ¼ SE ¼ Section 4-T89N-R48W.
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. 6285-3 is February 11, 2002.
5. The date from which applicant may claim right is November 2, 2001.
6. One-fifth of the construction is to be completed on or before August 11, 2004.
7. All construction is to be completed on or before February 11, 2007.
8. Water is to be put to beneficial use on or before February 11, 2011.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Water Permit No. 6285-3 authorizes a total annual diversion of 386 acre feet of water.
3. North Sioux City shall report to the Chief Engineer annually the amount of water withdrawn from the Dakota Formation.

WATER MANAGEMENT BOARD

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

FEB 27 2002

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>6285-3</u>	(office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>North Sioux City Times, N. Sioux City</u>	



Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

☒ Municipal	☐ Suburban Housing	☐ Recreational	☐ Institutional
☐ Rural Water System	☐ Commercial	☐ Fish & Wildlife	☐ Geothermal Heat
☐ Domestic (over 18 gpm)	☐ Industrial	☐ Other	

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

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

- Name of Applicant City of North Sioux City Phone 232-4276
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 301 Military Road P.O. Box 338 North Sioux City State SD 57049
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 4000.89 *CFS or 400 **GPM 386 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply DAKOTA AQUIFER
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) SE 1/4 SE 1/4 SECTION 4,
T89N-R48W NORTH SIOUX CITY, UNION COUNTY, SD
County UNION
- County or counties where water will be used UNION
- Annual period during which water is to be used Daily Jan 1-Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA)
County of UNION 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, Liesel Hallwas, 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 Liesel Hallwas

Subscribed and sworn to before me this 31 day of October 20 01

[Signature]
Notary Public signature

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 15" Depth 270
- b) Casing Type PVC Diameter 8" Thickness SCH. 40
- c) Screen Type PVC Diameter 8" Thickness SCH. 40
- d) Gravel Pack #1 Length of Gravel Pack 60
- e) Depth to Top of Water Bearing Material 208'
- f) Depth to Water (ground surface to water level) APP 20ft.
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

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

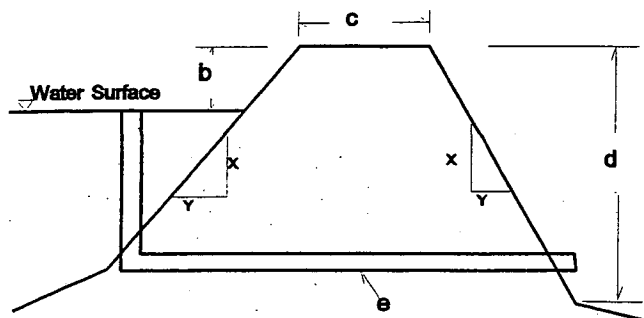
3. Dugout Information

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

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

07-92

Date: 11-1-2001



DAKOTA DRILLING & BACKHOE, INC. • 507 142ND ST. • SOUTH SIOUX CITY, NE 68776 • (402) 494-5208

WELL LOG:

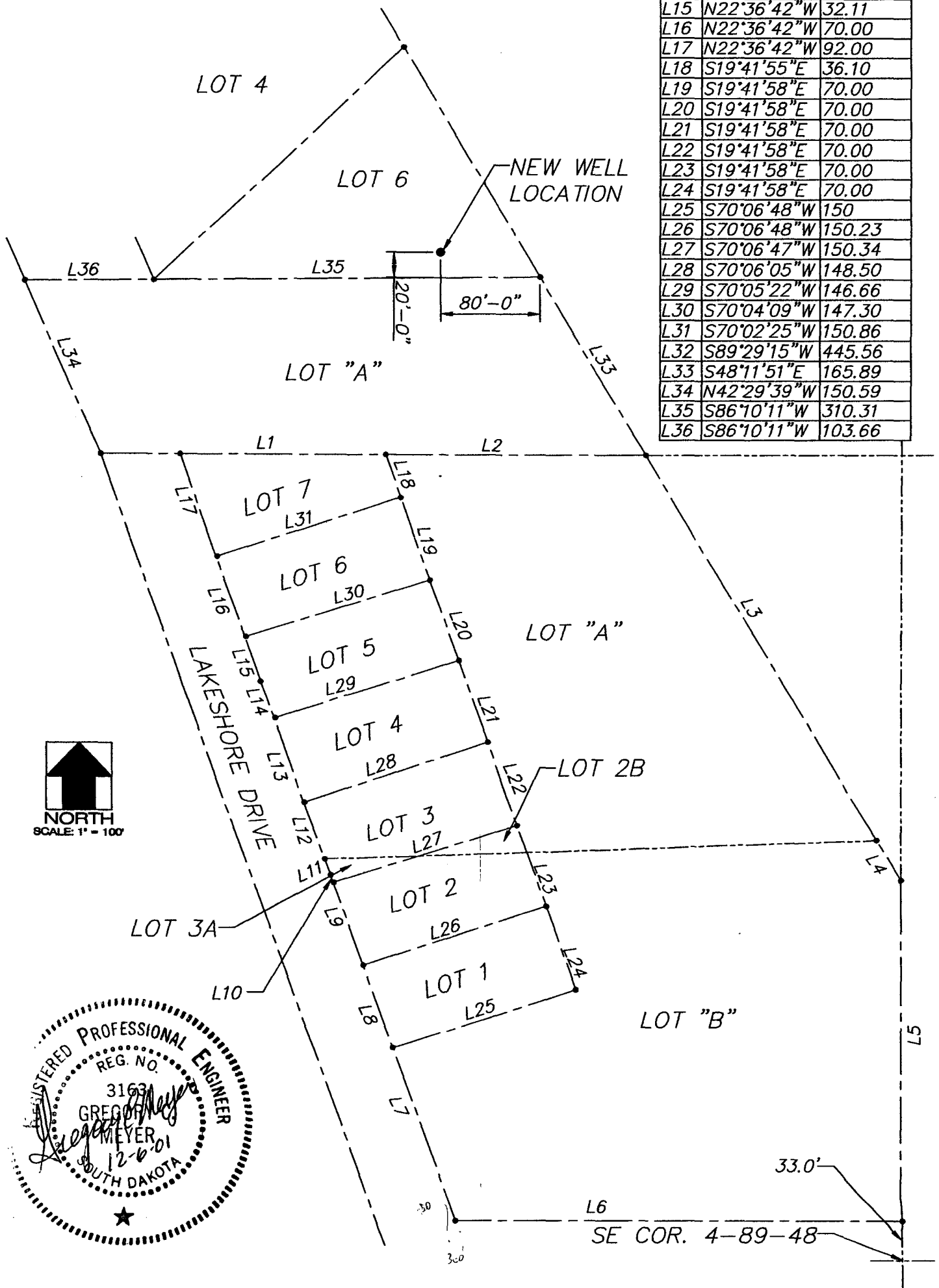
City of North Sioux City
PO Box 338
North Sioux City, SD 57049

SE1/4SE1/4 Sec 4 Twp 89N RG 48W

0 - 3'	Black clay
3' - 5'	Yellow clay
5' - 52'	Clay
52' - 60'	Sandy silt
69' - 95'	Gravel
95' - 96'	Rock
96' - 108'	Gravel
108' - 109'	Rock
109' - 118'	Gravel
118' - 119'	Rock
119' - 142'	Gravel
142' - 144'	Big rock - quartz
144' - 165'	Gravel
165' - 175'	Rock
175' - 202'	Gravel
202' - 213'	Shale
213' - 218'	Sandstone
218' - 220'	Shale
220' - 222'	Sandstone
222' - 230'	Shale
230' - 248'	Sandstone
248' - 250'	Shale
250' - 253'	Sandstone
253' - 254'	Shale
254' - 258'	Sandstone
258' - 260'	Shale
260' - 265'	Sandstone
265' - 266'	Shale
266' - 290'	Sandstone
290' - 300'	Shale

New Well Location Map North Sioux City, Union County South Dakota

LINE	BEARING	DISTANCE
L1	N89°48'19"E	165.00
L2	N89°48'19"E	209.04
L3	S30°55'02"E	380.19
L4	S30°55'02"E	18.62
L5	S01°16'36"E	272.99
L6	S89°13'26"E	357.18
L7	N19°53'12"W	147.55
L8	N19°53'12"W	70.00
L9	N19°53'12"W	65.96
L10	N18°11'47"W	4.04
L11	N18°11'44"W	20.32
L12	N18°11'44"W	49.68
L13	N18°11'44"W	70.00
L14	N18°11'44"W	37.89
L15	N22°36'42"W	32.11
L16	N22°36'42"W	70.00
L17	N22°36'42"W	92.00
L18	S19°41'55"E	36.10
L19	S19°41'58"E	70.00
L20	S19°41'58"E	70.00
L21	S19°41'58"E	70.00
L22	S19°41'58"E	70.00
L23	S19°41'58"E	70.00
L24	S19°41'58"E	70.00
L25	S70°06'48"W	150
L26	S70°06'48"W	150.23
L27	S70°06'47"W	150.34
L28	S70°06'05"W	148.50
L29	S70°05'22"W	146.66
L30	S70°04'09"W	147.30
L31	S70°02'25"W	150.86
L32	S89°29'15"W	445.56
L33	S48°11'51"E	165.89
L34	N42°29'39"W	150.59
L35	S86°10'11"W	310.31
L36	S86°10'11"W	103.66



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

417019

Pierre, December 14, 2001

RECEIVED OF City of North Sioux City, PO Box 1845, North Sioux City, SD 57049-1845
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6285-3</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. <u>6285-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	325 00

By Darlene Ebele
Chief Engineer *gm*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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



City of North Sioux City
Liesel L. Hallwas, Mayor
PO Box 338
North Sioux City SD 57049-1845

Dear Mayor Hallwas:

Thank you for submitting the *Application for a Permit to Appropriate Water* for North Sioux City. In order to complete the application the following is required.

A map showing the location of the well in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).

Enclosed is the check submitted with the application. The application fee based on 386 acre-feet will be \$275 and the license fee \$50 (total \$325).

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

*ENCLOSED IS NEW CHECK FOR \$325⁰⁰
& UPDATED MAP
QUESTIONS?*

CALL MIKE @ 232-4276

THANKS

REPORT ON WATER PERMIT NO. 6285-3
For the City of North Sioux City
January 11, 2001

Application No. 6285-3 proposes to appropriate 0.89 cfs (400 gpm and 386 acre-feet annually) from one well approximately 300 feet deep located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 4, T89N R48W in Union County. The water is for municipal use.

AQUIFER – DAKOTA FORMATION (DKOT)

The Dakota Formation consists of sand, sandstone and shale which is under confined or artesian conditions at this site. The aquifer underlies 935 square miles of Union and Lincoln Counties and contains an estimated 19.4 million acre-feet of water in storage (Niehus, 1994). The aquifer is very large and extends into Iowa to the east, Nebraska to the south and into Clay and Turner Counties to the west. Also, in southern Union County the Dakota aquifer directly underlies the Missouri Elk Point aquifer and is hydraulically connected to that aquifer system.

The driller's log filed with this application indicates gravel beginning at about 69 feet and extending to a depth of 201 feet below land surface (Missouri Elk Point aquifer) followed by shale and sandstone layers from 202 feet to 300 feet below land surface (Dakota aquifer). The well was completed to a depth of 290 feet, with eight inch plastic casing set to 230 feet and 35 slot PVC screen from 230 feet to 290 feet. The completed well had a static water level of 17 feet below land surface was capable of producing 540 gpm with a pumping level of 81 feet below land surface after 24 hours. This equates to a specific capacity of about 8.5 gpm/ft of drawdown. This well is completed in accordance with SD Well Construction Standards.

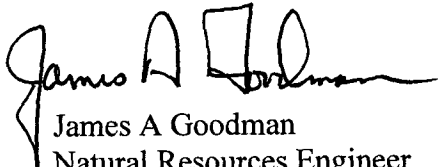
The Water Rights Program monitors one observation well completed into the Dakota Formation in this area. Observation well, UN-98A, is located about one mile west of this application. Water levels for this well indicate little fluctuation and that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2002). A hydrograph for this observation well is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are numerous water rights/permits in the area mostly using the Missouri Elk Point aquifer for a source. The McCook Lake Sanitary District holds a water right No. 5782-3 for two wells and 1.14 cfs for water from the Missouri Elk Point aquifer located within a few hundred feet of this well. The sanitary district and North Sioux City are one in the same so that permit would also be held by North Sioux City. Interference is not a concern. The nearest Dakota Formation permitted wells are about two miles west or two miles southeast of this application.

CONCLUSIONS

1. Water is available from the Dakota Formation
2. The aquifer is confined and under artesian conditions. Pumping does not appear to cause significant drawdown. This is shown by the observation well record even though the history for the well is very short. Interference is not a concern.
3. This well has been constructed in accordance with SD Well Construction Standards.



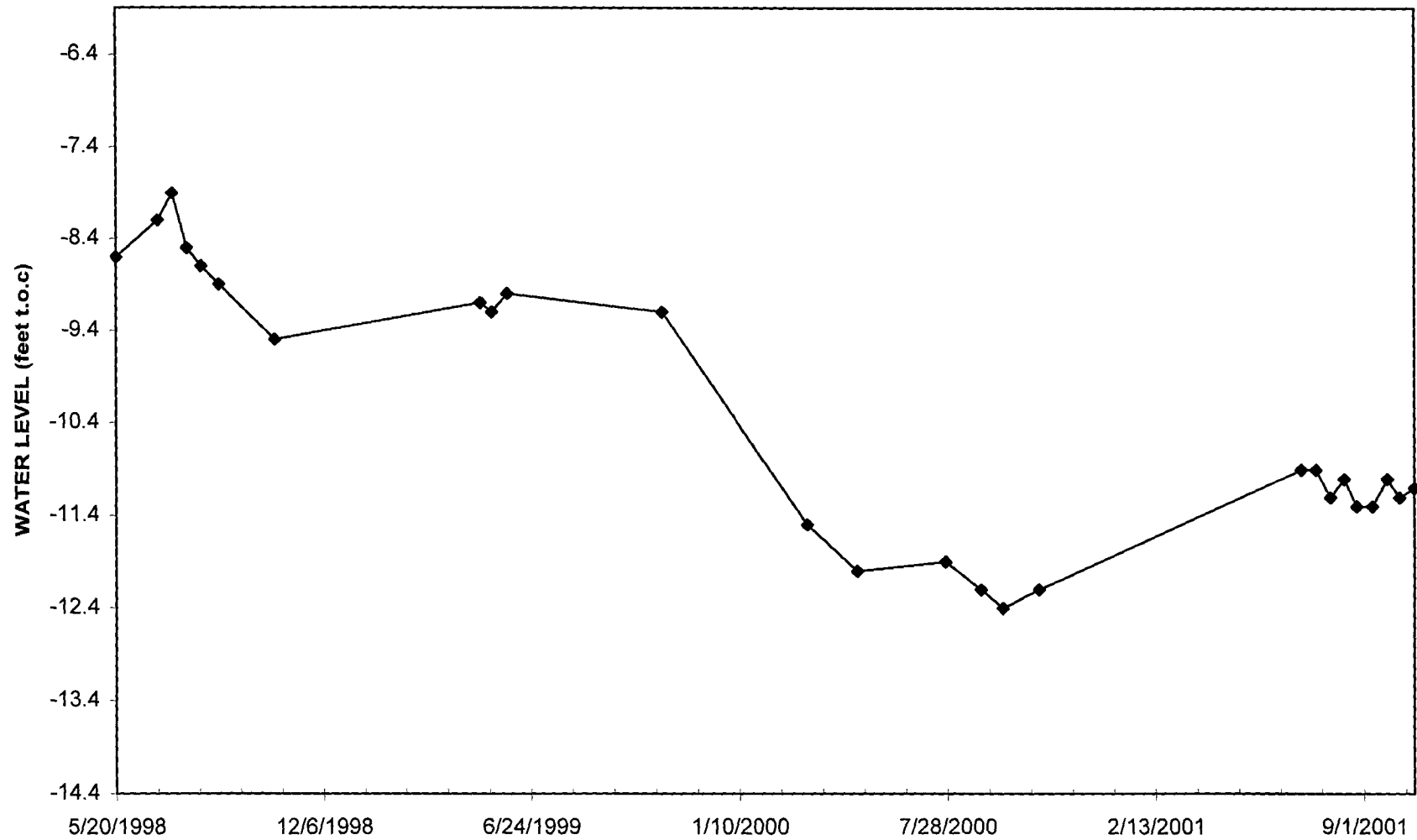
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota, WRI 93-4195, USGS, Rapid City, SD, 57702.

Water Rights, 2002, Unpublished Observation Well Data for Union County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
UN-98A**





**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. 6285-3, North Sioux City**

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. 6285-3, North Sioux City, c/o Mayor Liesel Hallwas, PO Box 338, North Sioux City SD 57049-1845.

The Chief Engineer is recommending APPROVAL of Application No. 6285-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Water Permit No. 6285-3 authorizes a total annual diversion of 386 acre feet of water.
3. North Sioux City shall report to the Chief Engineer annually the amount of water withdrawn from the Dakota Formation.

See report on application for additional information.

Garland Erbele, Chief Engineer
January 15, 2002

To: Ken Bhuler (Water Rights)

The City of North Sioux City requests permission to drill to replace a well which the casing is bad. The City needs another well to keep up with customers' water supply needs. We would like to drill down 300 ft. into the Dakota Aquifer. Our intentions are to find a better quality of water in this aquifer, since the old well was in the Missouri Aquifer. We are hoping to get at least 400 gallons per minute. We will use a 10" casing for this new well; and use a 5" submersible pump. The reason for the urgency of getting this test well, is that our others wells are working at capacity, do to the large quantity of water we are supplying to our customers. The permit number for the well will be 740020421, The legal description of this well is; The Southeast Corner of Southeast of Southeast Section 4, Range 28, Township 48 West 89 North.

If you have any questions please call the City of North Sioux City Water Department at 605-232-9165. Contact Randy Fredericksen or Craig Carroll





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 18, 2001

Randy Fredericksen
City of North Sioux City
PO Box 338
North Sioux City, SD 57049-0338

Dear Mr. Fredericksen:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for North Sioux City prior to approval of a water permit. The test well is to be completed into the Dakota aquifer in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, T89N-R48W. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

I have enclosed a Water Permit Application along with instructions for your use. A Water Permit must be approved before the well is used for municipal use. If you have any questions feel free to contact me.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for GARLAND ERBELE, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



**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.

January 16, 2002

City of North Sioux City
Liesel L. Hallwas, Mayor
PO Box 338
North Sioux City, SD 57049-1845

Dear Mr. Hallwas:

Water Permit Application No. 6285-3 for municipal 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 North Sioux City Times printed at North Sioux City, SD (Ph # 605-232-3539). 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

c: Mike Priest, Finance Officer

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 57501-3182
www.state.sd.us/denr

January 16, 2002

North Sioux City Times
Box 1340
North Sioux city, SD 57049-1340

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6285-3 to Appropriate Water to be published twice. Please publish the first notice on January 24, 2002 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 City of North Sioux City, % Liesel L. Hallwas, Mayor, PO Box 338, North Sioux City, SD 57049-1845 (Ph # 605-232-4276).

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. 6285-3

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

Date _____

We are in receipt of your letter of January 16, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 6285-3 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 January 24, 2002 publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6285-3 to Appropriate Water

Notice is given that the City of North Sioux City, PO Box 338, North Sioux City SD 57049 has filed an application for a water permit to appropriate 0.89 cubic feet of water per second (386 acre feet annually) from one well (Dakota Formation) 300 feet deep located in the SE ¼ SE ¼ Section 4-T89N-R48W. The water is for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6285-3 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 February 11, 2002.

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)
 County of Union) SS

I, Richard D. Volkman

certify that the attached printed Notice was taken

from the North Sioux City Times

printed and published in North Sioux City

County of Union and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

January 24, 2002

January 31, 2002

Cost of Printing \$33.16

[Signature]
 (Signature)

Publisher
 (Title)

2-13-02
 (Date Signed)

Sheila R. Ogaw, S.D. notary
 commission expires 12-27-2007

RECEIVED

FEB 15 2002

WATER RIGHTS
PROGRAM

**NOTICE OF APPLICATION NO. 6285-3 TO
 APPROPRIATE WATER**

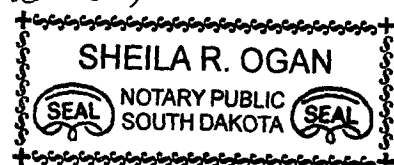
Notice is given that the City of North Sioux City, PO Box 338, North Sioux City SD 57049 has filed an application for a water permit to appropriate 0.89 cubic feet of water per second (386 acre feet annually) from one well (Dakota Formation) 300 feet deep located in the SE 1/4 SE 1/4 Section 4-T89n-R48W. The water is for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of application No. 6285-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired 3) it is 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 February 11, 2002.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reason 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 Gronland 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.

5c





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 27 2002

City of North Sioux City
Liesel L. Hallwas, Mayor
PO Box 338
North Sioux City, SD 57049-1845

Dear Mr. Hallwas:

Enclosed is Water Permit No. 6285-3 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 March 5, 2002

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

RECEIVED

MAR - 7 2002

**WATER RIGHTS
PROGRAM**

FROM: City of North Sioux City
(name)
Box 338
(address)
North Sioux City SD 57049
(city, state, zip)

605-232-4276
(phone)

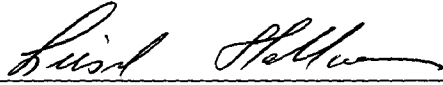
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

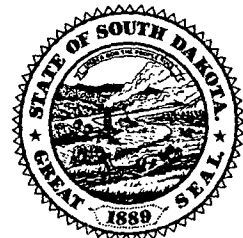
Water Permit No. 6285-3 states that the water use system is to be constructed by
August 11, 2004 , and water is to be put to beneficial use by February 11, 2001
(date) (date)

The water use system was completed on November 2, 2001
(date)

Applying the water to beneficial use was completed on March 5, 2002
(date)

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


(signature)



Permit No. 6285-3
Missouri 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, **June 18, 2002**, made a thorough examination of the water use system constructed by **the City of North Sioux City of PO Box 338, North Sioux City SD 57049** holder of Permit No. **6285-3**, bearing the priority of **November 2, 2001** authorizing the diversion of **0.89** cu. ft. per second of the waters of **ground water (Dakota Formation)** for **municipal** purposes, in **Union** County.

Inspection contact & relationship to permit holder, if applicable: **Randy Frederickson, PW Director**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Dakota Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **290** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **8** inches
- 2) Length **230** feet
- 3) Type **Plastic**

Screen:

- 1) Type **Johnson screen**
- 2) Length **60** feet
- 3) Static water level **17** feet

Pump/Motor:

- 1) Make **Unknown**
- 2) Size **15 hp, 8 in**
- 3) Capacity **400** GPM

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

Water is diverted from the well into the city's water distribution system.

D. Compliance with Permit Requirements:

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

The system is in **good** condition with the point of diversion located as follows: **Well (SE¼SE¼): 800 feet N and 375 feet W from the SE corner section 4-T89N-R48W (Lat 42.54881, Long -96.50911)**. The works are capable of diverting and conveying to the place of use **0.89** cu. ft. per second of water which is to be used for **municipal purposes**. Water has been put to beneficial use to the maximum extent and the license should be issued for **0.89** cfs.

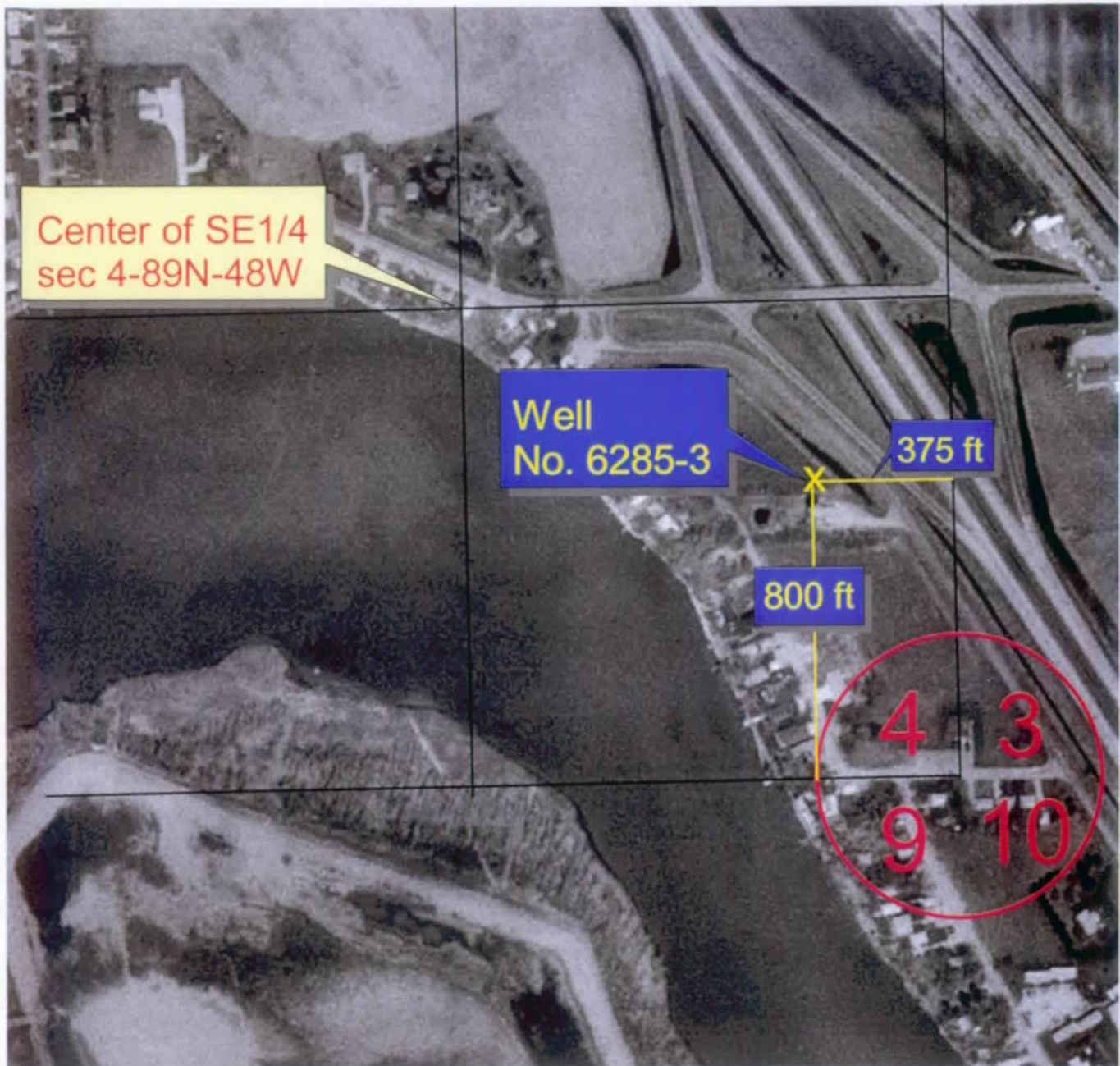
Comments or other permit(s) associated with the project: **none** | All structures, wells and lands on map **Y**



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: **August 30, 2002**

700 0 700 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat. Res. Engineer
August 30, 2002

No. 6285-3



SEP 17 2002

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

6285-3

Liesel L Hallwas, Mayor
City of North Sioux City
PO Box 338
North Sioux City SD 57049

Dear Mayor Hallwas:

Enclosed is Water License No. 6285-3. This is the final water right document completing the city's 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. 6285-3, 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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6285-3

(1) The City of North Sioux City, PO Box 338, North Sioux City, SD 57049 made Application No. 6285-3, November 2, 2001 for a water permit to divert 0.89 cubic feet of water per second, with a total annual diversion of 386 acre feet of water from ground water (one well – Dakota Formation), Union County, South Dakota for municipal purposes. Permit No. 6285-3, with a priority date of November 2, 2001 was approved February 11, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 11, 2007 and for the application to beneficial use of water on or before February 11, 2011.

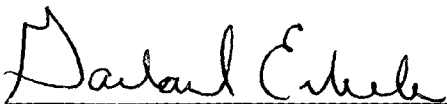
On March 7, 2002, the city submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*". The "*Notice*" indicated the water use system was completed on November 2, 2001 and water was applied to beneficial use on March 5, 2002.

(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 City of North Sioux City the holder and/or owner of Water Right No. 6285-3 is issued a license, bearing a priority date of November 2, 2001 to appropriate 0.89 cubic feet of water per second, with an annual diversion of 386 acre feet of water, from ground water (one well – Dakota Formation). The water is diverted for municipal purposes from the following location:

800'N and 375'W of the SE corner of Section 4, T89N, R48W (SE ¼ SE ¼)

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6285-3 including 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.
- Water Permit No. 6285-3 authorizes a total annual diversion of 386 acre feet of water.
- North Sioux City shall report to the Chief Engineer annually the amount of water withdrawn from the Dakota Formation.



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

SEP 17 2002

date

