

Name of Applicant: City of Vermillion

Address: 25 Center St, Vermillion SD 57069

Phone: 605 677-7050

Amount of Water Claimed: 0.022 cfs

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: municipal use

County: Clay

Type of Waste Disposal System:

Location: in Vermillion

PRIORITY

Date Received: 8-12-2002

Application/License Fee: \$100

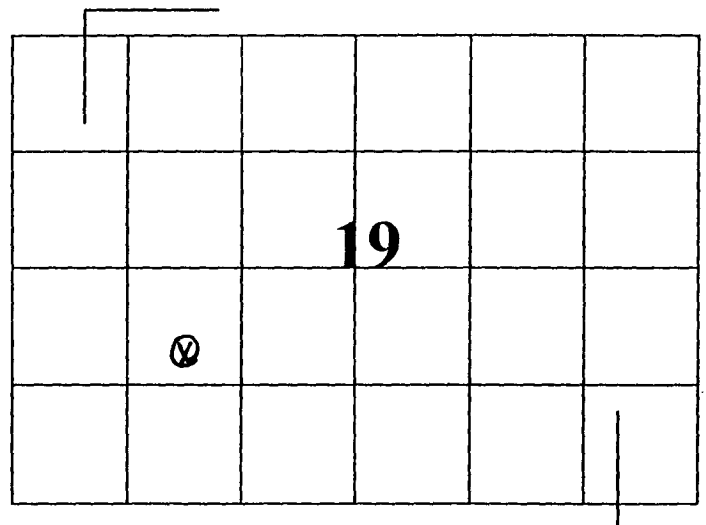
Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: To be used at the wastewater main lift station

Diversion Point: NW ¼ SW ¼ Sec 19-T92N-R51W

Land to be Irrigated: NA



Depth of Well: 89 feet

Well Driller: : Hammond-Wetmore Drilling

Remarks:

Type of Map: plat

Prepared by: Harold Holoch, PE

Reviewed and the Number Assigned on: 8-12-2002

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6354-3**

Date of first receipt of application August 12, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6354-3 to City of Vermillion, 25 Center St, Vermillion SD 57069 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. 6354-3 appropriates 0.022 cubic feet of water per second (10 gallons per minute) from one well (Missouri: Elk Point Aquifer) 89 feet deep located in the NW ¼ SW ¼ Section 19-T92N-R51W.
2. The water appropriated shall be used for the purpose of municipal use and will be used to cool and lubricate seals on the wastewater main lift station pumps 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. 6354-3 is November 4, 2002.
5. The date from which applicant may claim right is August 12, 2002.
6. One-fifth of the construction is to be completed on or before May 4, 2005.
7. All construction is to be completed on or before November 4, 2007.
8. Water is to be put to beneficial use on or before November 4, 2011.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

MAR 13 2003

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. 6354-3 Hydrologic Unit 10170102
Basin Vermillion River
Newspaper Plain Talk, Vermillion

RECEIVED
AUG 12 2002
WATER RIGHTS
PROGRAM

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 diversion
point

- Name of Applicant City of Vermillion Phone 605-677-7050
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 25 Center St. State Vermillion, SD 57069
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.022 *CFS or 10 **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 Ground water well - Lower Vermillion-Missouri Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 680 feet East and 900 feet
South of NW Corner of SW1/4 section 19-T92N-R51W on Lot V of Government Lot 3
(NW1/4 SW1/4) County Clay
- County or counties where water will be used Clay
- 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)
Drill a small well to provide a non-potable water supply to cool and lubricate seals on the wastewater main lift station pumps. See attached variance and temporary permit.

STATE OF SOUTH DAKOTA)
County of Clay 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, Harold Holoch, 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 Harold Holoch

Subscribed and sworn to before me this 9th day of August 2002

Murray Clarkson
Notary Public signature

(Complete applicable portions only)

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 9 inch Depth 89 ft.
- b) Casing Type PVC Diameter 5 in. Thickness SDR 17
- c) Screen Type PVC Diameter 5 in. Thickness SDR 17
- d) Gravel Pack 2 in. Length of Gravel Pack 20 ft.
- e) Depth to Top of Water Bearing Material 72 ft.
- f) Depth to Water (ground surface to water level) 22 ft.
- g) Distance to nearest existing domestic well: Morse Well
City Well #5
 On applicants property 3200 ft. On property owned by others 2400 ft.

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 Vermillion Sanitary System _____

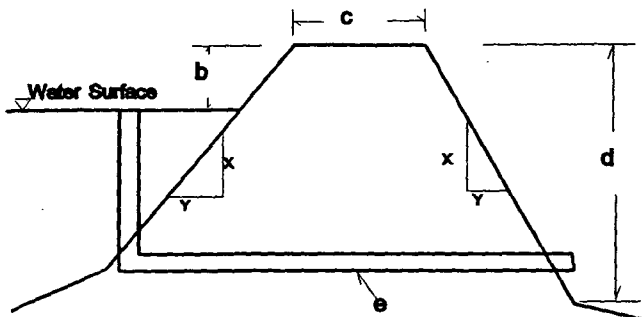
3. Dugout Information

- 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

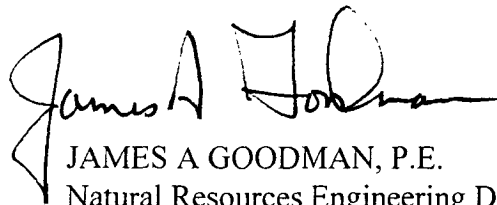
REQUEST FOR A VARIANCE FROM CHAPTER 74:02:04

SOUTH DAKOTA WELL CONSTRUCTION STANDARDS

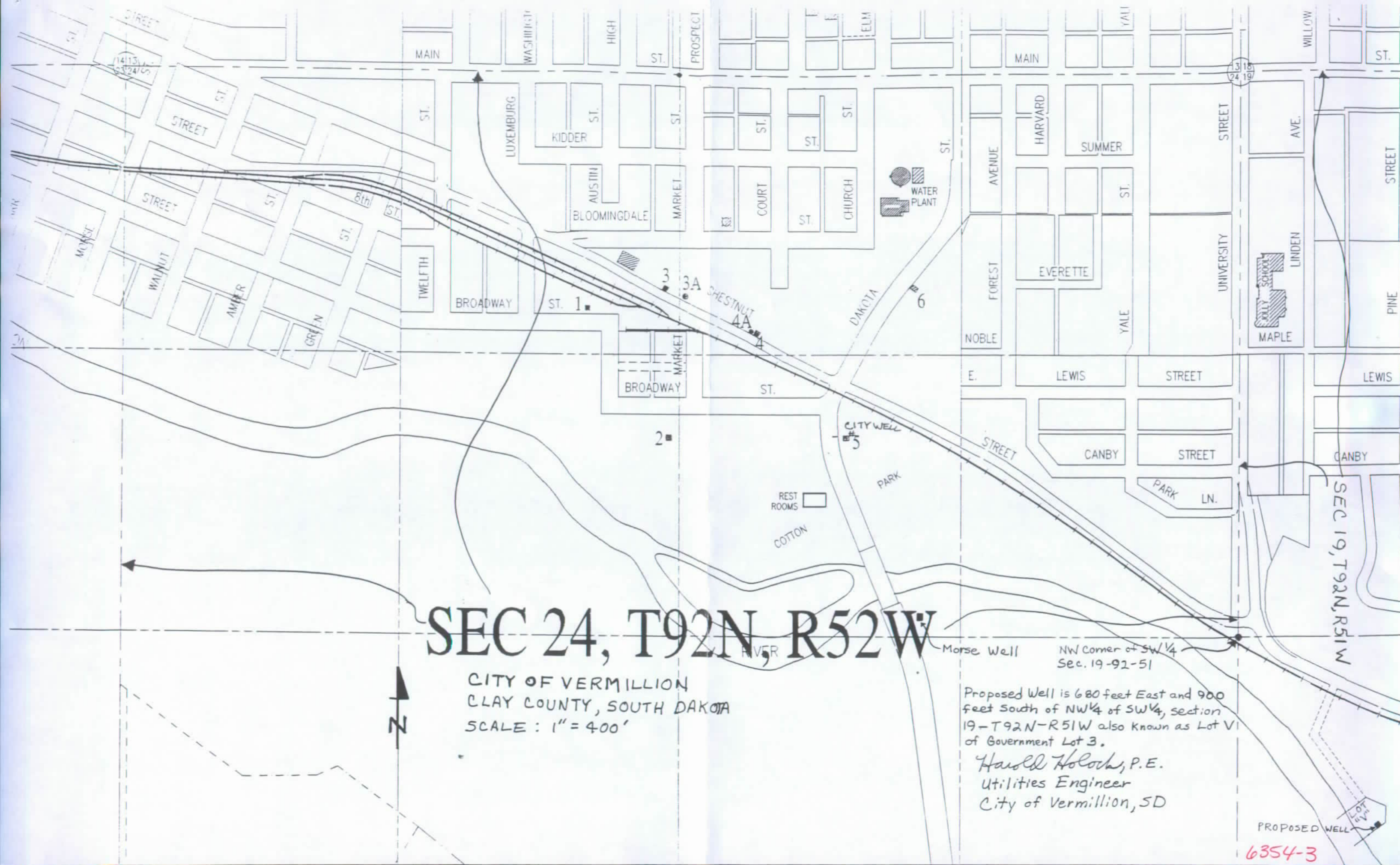
Pursuant to Section 74:02:04:75 of the South Dakota Well Construction Standards, the following is the decision of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning the request for a well construction variance by The City of Vermillion (Harold Holach).

The Chief Engineer grants approval of the request for a variance as follows:

1. This is a request for a variance from SD Well Construction Standard 74:02:04:24(1) which requires that a well supplied by an aquifer whose top is more than 100 feet deep may be located no closer than 75 feet horizontally from wastewater system components, or 30 feet horizontally from sewer lines.
2. The purpose of this request is to install a well into the Missouri-Elk Point aquifer, the top of which is estimated to be less than 100 feet below grade, located at 1001 E. Chestnut in SW¼ Sec. 19, T92N-R51W.
3. The well to be constructed under this variance is to be located approximately 70 feet from a wet well, 22 feet from a 12-inch diameter force main, and 12 feet from a 18-inch diameter sewer bypass.
4. This well is for non-potable use, it will only be used to cool and lubricate seals on the main lift pumps.
5. Any test wells not completed as a production well must be plugged, and the well that is to be replaced by this well must be plugged in accordance with the well construction standards.



JAMES A GOODMAN, P.E.
Natural Resources Engineering Director
For GARLAND ERBLE, Chief Engineer
Water Rights Program
July 24, 2002



SEC 24, T92N, R52W

CITY OF VERMILLION
CLAY COUNTY, SOUTH DAKOTA
SCALE: 1" = 400'

Proposed Well is 680 feet East and 900 feet South of NW 1/4 of SW 1/4, section 19-T92N-R51W also known as Lot V of Government Lot 3.

Harold Holoch, P.E.
Utilities Engineer
City of Vermillion, SD

PROPOSED WELL

6354-3

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

417280

Pierre, August 12, 2002

RECEIVED OF City of Vermillion, 25 Center Street, Vermillion SD 57069
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6354-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6354-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	100 00

By Darland Ebele
Chief Engineer *gme*

City of VERMILLION

25 CENTER STREET
VERMILLION, SOUTH DAKOTA 57069

PHONE: (605) 677-7050



August 9, 2002

Eric Gronlund
Water Rights Program, DENR
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

RECEIVED
AUG 12 2002
WATER RIGHTS
PROGRAM

Re: Water Permit Application for small well at Wastewater Main Lift Station

Dear Mr. Gronlund:

Enclosed is the water permit application including \$100 filing and inspection/licensing fee for a proposed well to provide non-potable water to cool and lubricate seals on the wastewater main lift station pumps. A variance and temporary water permit for this application have already been granted. Please call if additional information is needed.

Thank you to your department for the timely information and assistance provided on this project.

Sincerely,



Harold Holoch, P.E.
Utilities Engineer

Enclosures

REPORT ON WATER PERMIT APPLICATION NO. 6354-3
For the City of Vermillion
October 3, 2002

Application No. 6354-3 proposes to appropriate 0.022 cfs (10 gpm) from one well approximately 89 feet deep located in the NW ¼ SW ¼ of section 19, T92N R51W in Clay County. The water will be used to cool and lubricate seals on the wastewater main lift station pumps.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point aquifer is an alluvium-mantled outwash (sand and gravel) which is under predominantly water table conditions in Clay County. The aquifer underlies 74,500 acres and contains an estimated 1.117 million acre-feet of recoverable water in storage in Clay County (Hedges, 1982). The aquifer extends into Union County to the east, Yankton County to the west and blends into the Lower Vermillion Missouri aquifer to the north. The aquifer is also hydraulically connected to the Vermillion and Missouri Rivers. Ground water levels indicate that the aquifer generally discharges into the rivers (Christensen, 1976).

The well log filed with the application indicates silt and sandy silt from the surface to a depth of 72 feet followed by medium to coarse sand from 72 to 89 feet. The completed well had a static water level of 22 feet below land surface and is completed in accordance with SD Well Construction Standards. The well was capable of producing 20 gpm with a drawdown of 12 feet after four hours of pumping.

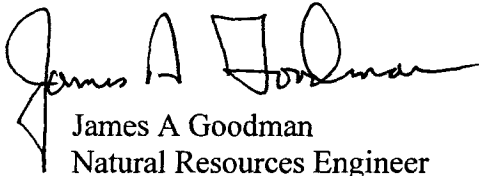
The Water Rights Program monitors an observation well CL-80C located about two miles south of this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The hydrograph for this observation well also shows an additional affect on the water levels. A general downward water level trend is noticeable for the period of record. This trend can not be attributed to climatic conditions or pumping. Apparently, entrenching of the Missouri River has caused an overall lowering of the ground water in the vicinity of the river. This phenomena is also noticeable on other observation wells in Yankton and Union Counties that are located in the same general proximity to the river. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2002). A hydrograph for observation well CL-80C is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no nearby water permits/rights which would be affected by this diversion. The nearest permitted user is over one-half mile to the south. Interference is not a concern. This diversion rate is only for ten gallons per minute and will not affect anything.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is predominantly water table conditions. Drawdown at this requested pumping rate would not be significant. Interference is not a concern.
3. This well has been constructed in accordance with SD Well Construction Standards.
4. A variance from the well construction standards and temporary permit for water use was issued in July of 2002 for this well.



James A Goodman
Natural Resources Engineer

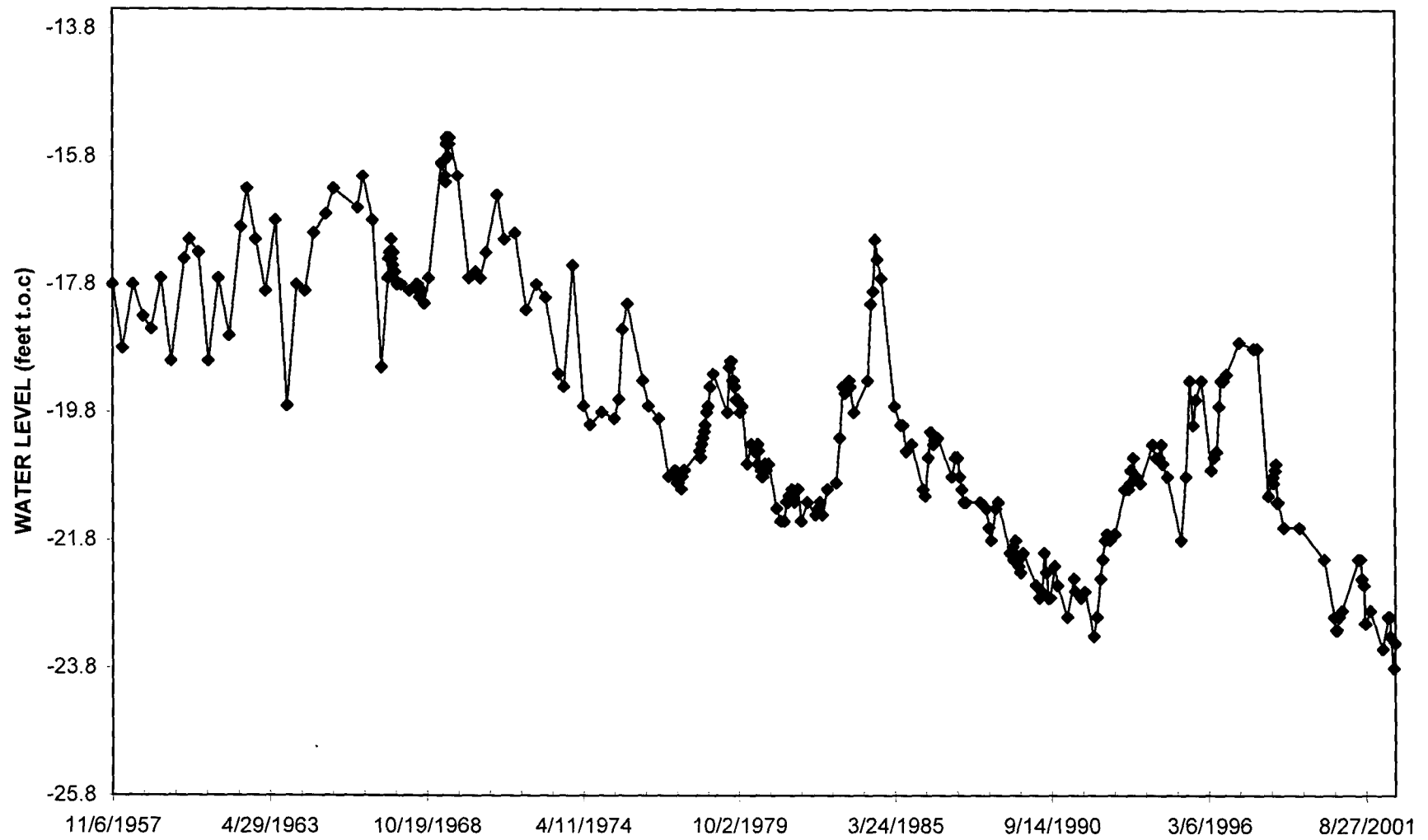
BIBLIOGRAPHY

Christensen, C.M., J.C. Stephens, 1967, Geology and Hydrology of Clay County South Dakota, Part II Water Resources, Bulletin 19, SD DENR, SDGS, Vermillion, SD, 57069.

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

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

**WATER RIGHTS' OBSERVATION WELL
CL-80C**





**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. 6354-3, City of Vermillion**

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. 6354-3, City of Vermillion, c/o Harold Holoch, 25 Center Street, Vermillion SD 57069.

The Chief Engineer is recommending APPROVAL of Application No. 6354-3 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.

See report on application for additional information.

Garland Erbele, Chief Engineer
October 10, 2002

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

Candi Jensen

Being first duly sworn, deposes and says: That he/she is a resident of the County of Clay and State of South Dakota; that

THE PLAIN TALK

is a legal newspaper of general circulation, printed and published in Vermillion, in said County and State, by Broadcaster Press, Inc., and is now and has been such newspaper continuously during all the times hereinafter mentioned; that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

Application 6354-3 to Appropriate Water

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said county of Clay for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Vermillion, the said place of publication; that the first publication of said notice in said newspaper as aforesaid

was on Friday, the 18 day of October, 20 02, and that the succeeding publications were severally

on Friday, the 25 day of October, 20 02,

on Friday, the _____ day of _____, 20 _____,

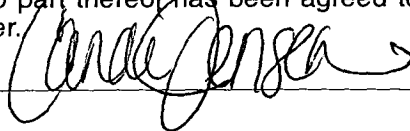
on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

that the fees charged for the printing and publication of the said notice and advertisement in said newspaper as aforesaid were

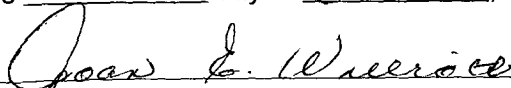
Thirty eight _____ dollars and 50 cents

and that said fees for the printing and publishing of said notice and advertisement have been fully paid; that the full amount of the fee charged for the publishing of the said attached annexed notice and advertisement inures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.



Subscribed and sworn to before me

this 25th day of Oct., 20 02



My Commission Expires
April 17, 2005

Notary Public

NOTICE OF APPLICATION NO. 6354-3 TO APPROPRIATE WATER

Notice is given that the City of Vermillion, 25 Center St., Vermillion, SD 57069 has filed an application for a water permit to appropriate 0.022 cubic feet of water per second (10 gallons per minute) from one well (Missouri: Elk Point Aquifer) 89 feet deep located in the NW 1/4 SW 1/4 Section 19-T92N-R51W. The water is for municipal use and will be used to cool and lubricate seals on the waste water main lift station pumps.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6354-3 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 November 4, 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.

Publish: October 18 & 25, 2002

RECEIVED

NOV 18 2002

WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on October 18, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6354-3 to Appropriate Water

Notice is given that the City of Vermillion, 25 Center St, Vermillion SD 57069 has filed an application for a water permit to appropriate 0.022 cubic feet of water per second (10 gallons per minute) from one well (Missouri: Elk Point Aquifer) 89 feet deep located in the NW ¼ SW ¼ Section 19-T92N-R51W. The water is for municipal use and will be used to cool and lubricate seals on the wastewater main lift station pumps.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6354-3 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.

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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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 10, 2002

Plain Talk
PO Box 256
Vermillion SD 57069-0256

ATTENTION: Legal Public Notice

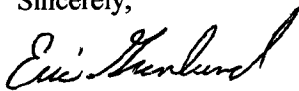
Enclosed is a Notice of Hearing on Application No. 6354-3 to Appropriate Water to be published twice. Please publish the first notice on October 18, 2002 with the second publication 7 days later.

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 Vermillion, % Harold Holoch, 25 Center St, Vermillion SD 57069 (Ph # 605-677-7050).

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. 6354-3

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

Date _____

We are in receipt of your letter of October 10, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 6354-3 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.**

October 10, 2002

City of Vermillion
% Harold Holoch
25 Center St
Vermillion SD 57069

Dear Mr. Holoch:

Water Permit Application No. 6354-3 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 Plain Talk printed at Vermillion, SD (Ph # 605-624-2695). 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 13 2003

City of Vermillion
% Harold Holoch
25 Center St
Vermillion SD 57069

Dear Mr. Holoch:

Enclosed is Water Permit No. 6354-3 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,

A handwritten signature in black ink that reads "Garland Erbele". The signature is written in a cursive style with a large, stylized 'G'.

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

enclosures

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

Date 3-20-03

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

RECEIVED
MAR 24 2003
WATER RIGHTS
PROGRAM

FROM: City of Vermillion
(name)
25 Center St.
(address)
Vermillion, SD 57069
(city, state, zip)

605-677-7050
(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.

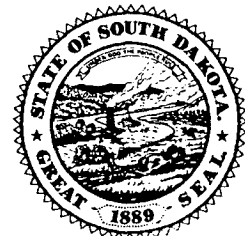
Water Permit No. 6354-3 states that the water use system is to be constructed by 11-4-2007, and water is to be put to beneficial use by 11-4-2011
(date) (date)

The water use system was completed on 12-17-2002
(date)

Applying the water to beneficial use was completed on 12-17-2002
(date)

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

Harold Holoch
(signature)
Harold Holoch
Utilities Engineer
City of Vermillion
7-98



Permit No. 6354-3
Vermillion 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 28, 2005, made a thorough examination of the water use system constructed by city of Vermillion of 23 Center Street, Vermillion, SD 57069 holder of Permit No. 6354-3, bearing the priority of August 12, 2002 authorizing the diversion of 0.022 cu. ft. per second of the waters of Missouri: Elk Point Aquifer for municipal purposes, in Clay County.

Inspection contact & relationship **Harold Holoch, Public Utilities**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Hammond – Wetmore Drilling
- 2) No. of Wells 1
- 3) Depth(s) 93 feet
- 4) Well log is available yes
- 5) Comment:

Casing:

- 1) Diameter 5 inches
- 2) Length 77 feet
- 3) Type pvc

Screen:

- 1) Type pvc V-slot
- 2) Length 10 feet
- 3) Static water level 22 feet

Pump:

- 1) Make Grundfus submersible
- 2) Model
- 3) Size
- 4) Capacity 10 GPM

Motor:

- 1) Make Grundfus submersible
- 2) Model No.
- 3) Horsepower rating 0.5 hp

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

- 1) Type black poly pipe
- 2) Size 1.5 inches
- 3) Length 50 feet

C. Works used to apply water to beneficial use:

Water is used at the main lift station to cool and lubricate seals on the pumps.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by yes

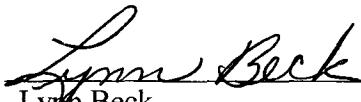
The system is in good condition with the point(s) of diversion located as follows: 1880' N and 540' E of the SW corner Section 19-T92N-R51W in the NW¼ SW¼. The works are capable of diverting and conveying to the place of use 0.022 cu. ft. per second of water which is to be used for municipal purpose. Water has been put to beneficial use to the maximum extent as follows:

Water is used at the main lift station to cool and lubricate seals on the pumps

The license should be issued for 0.022 cfs.

All structures, wells and lands on map yes

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


Lynn Beck

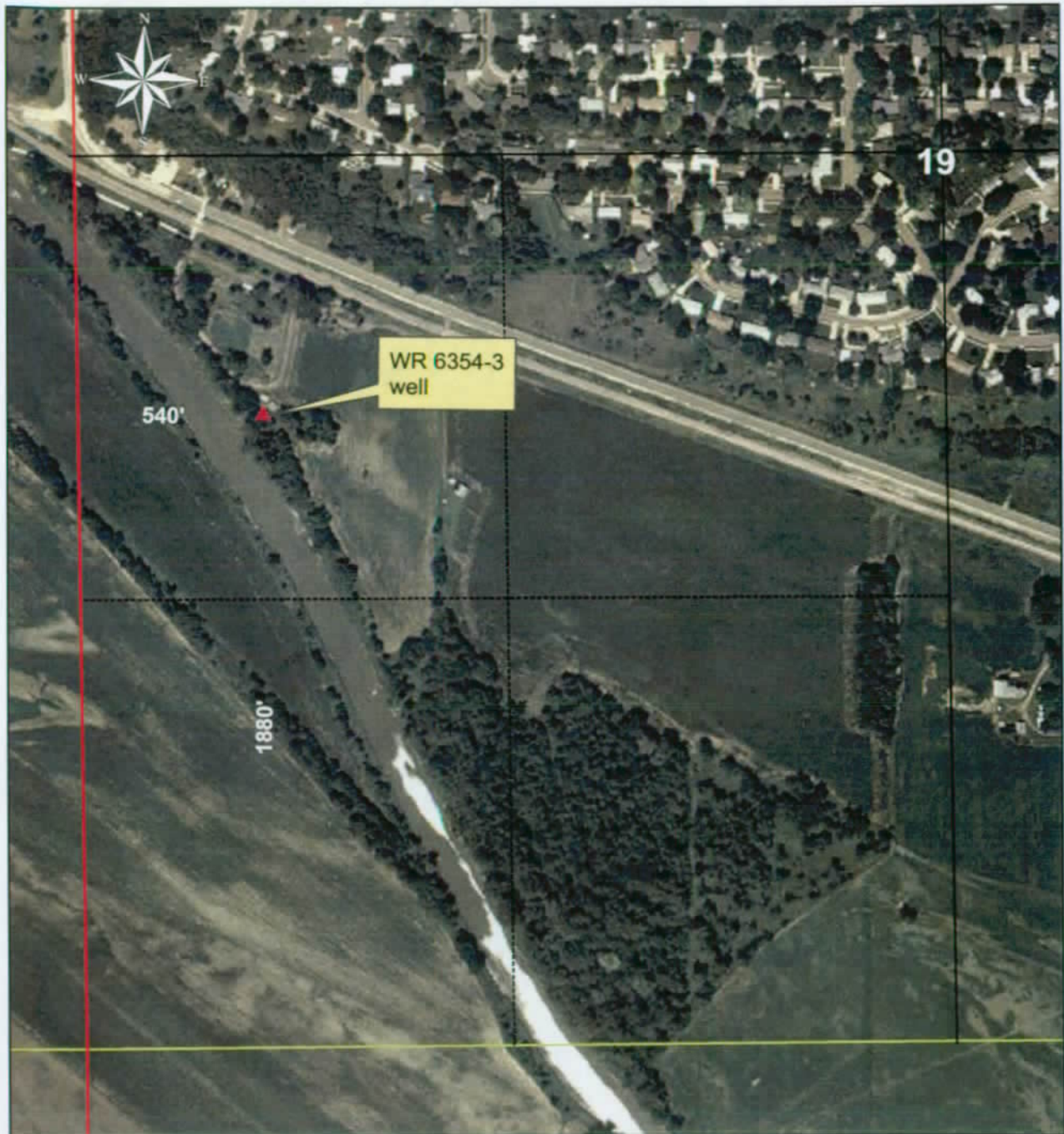
Natural Resources Engineer Specialist
DENR, Water Rights Program

Date report completed: August 4, 2005

Lat: 42.76989
Long: -96.921884

**WATER RIGHT NO. 6354-3
CITY OF VERMILLION**

R51W



SCALE

0 330 660 1,320 1,980 2,640 Feet

Lynn Beck

Lynn Beck
Natural Resources Engineer Specialist
DENR, Water Rights Program
August 5, 2005

South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today



STATE OF SOUTH DAKOTA

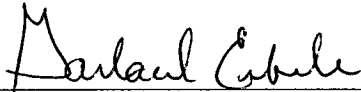
WATER LICENSE NO. 6354-3

(1) City of Vermillion, 23 Center St, Vermillion SD 57069 made Application No. 6354-3, August 12, 2002 for a water permit to divert 0.022 cubic feet of water per second from groundwater (one well), Clay County, South Dakota for municipal purposes. Permit No. 6354-3, with a priority date of August 12, 2002 was approved November 4, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 4, 2007 and for the application to beneficial use of water on or before November 4, 2011.

(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. 6354-3 is issued a license, bearing a priority date of August 12, 2002 to appropriate 0.022 cubic feet of water per second from groundwater (one well) for municipal use to cool and lubricate seals on the wastewater main lift station pumps.

The diversion point is located: 1,880 feet north and 540 feet east of the southwest corner Section 19-T92N-R51W (NW ¼ SW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6354-3.



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

SEP 30 2005

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 30 2005

6354-3

City of Vermillion
%Harold Holoch
23 Center St
Vermillion SD 57069

Dear Mr. Holoch:

Enclosed is Water License No. 6354-3. This is the final water right document completing your process of obtaining a Water Right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures