

WATER PERMIT NO. 6446-3

Name of Applicant: Central States Fire Apparatus, LLC

Address: PO Box 58, Lyons SD 57041 Phone: 605 543-5591

Amount of Water Claimed: 0.44 cfs Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: industrial and fire protection County: Minnehaha

Type of Waste Disposal System:

Location: Town of Lyons

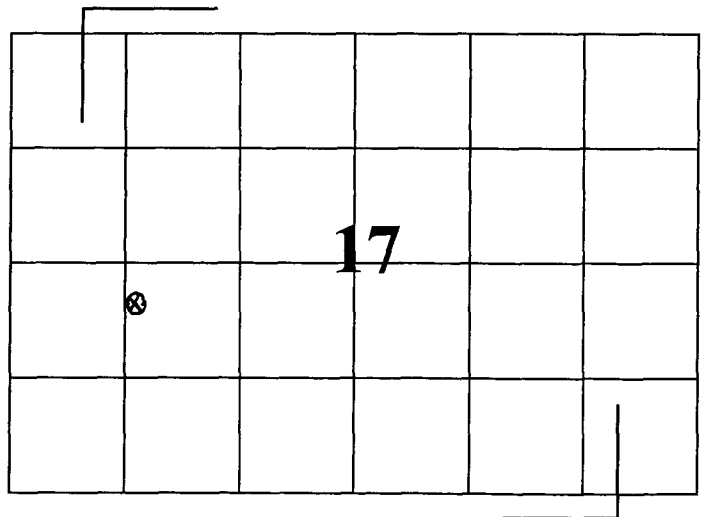
PRIORITY Date Received: 10-17-2003 Application/License Fee: \$300

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

Remarks: originally made application in October, 1991

Diversion Point: NW ¼ SW ¼ Sec 17-T103N-R50W

Land to be Irrigated: NA



Depth of Well: 26 feet

Well Driller: :

Remarks: log not available

Type of Map: aerial

Prepared by: Lynn Beck

Reviewed and the Number Assigned on: 10-21-2003

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6446-3**

Date of first receipt of application October 17, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6446-3 to Central States Fire Apparatus LLC, c/o Harold Boer, PO Box 58, Lyons SD 57041 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. 6446-3 appropriates 0.44 cubic feet of water per second from one well (Big Sioux: Middle Skunk Creek Aquifer) 26 feet deep located in the NW ¼ SW ¼ Section 17-T103N-R50W.
2. The water appropriated shall be used for the purpose of industrial and fire protection 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. 6446-3 is February 2, 2004.
5. The date from which applicant may claim right is October 17, 2003.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

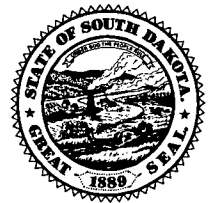
The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

WATER MANAGEMENT BOARD

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

FEB 2 0 2004

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. 6446-3 (office use only)
Hydrologic Unit 10170203
Basin Sioux River
Newspaper The Argus Leader

RECEIVED
OCT 17 2003
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 Filling fire trucks

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 Central States Fire App LLC Phone 605-543-5591
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 58 Lyons SD 57041
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.44 *CFS or 200 **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
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
NW1/4 SW1/4 Section 17 - T103N - R50W
County Minnehaha
- County or counties where water will be used Minnehaha
- Annual period during which water is to be used 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)
USED For fill Fire Dept tankers.

STATE OF SOUTH DAKOTA)

County of Minnehaha 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, David Boer, 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 David Boer

Subscribed and sworn to before me this 14th day of October 20 03

Lloyd J. Reed
Notary Public signature

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 20 Depth 26
- b) Casing Type plastic Diameter 12" Thickness class 200
- c) Screen Type slotted pvc Diameter 12" Thickness class 200
- d) Gravel Pack 3" Length of Gravel Pack 15'
- e) Depth to Top of Water Bearing Material 10' 6"
- f) Depth to Water (ground surface to water level) 10' 6"
- g) Distance to nearest existing domestic well: 300'

On applicants property X 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 _____

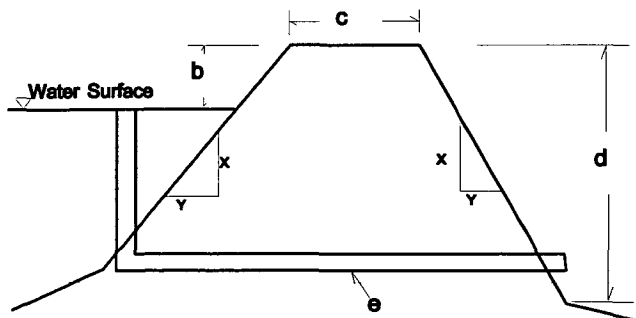
3. Dugout Information

- 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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date October 17, 20 03

RECEIVED OF Central State Fire Apparatus LLC, PO Box 57, Lyons SD 57042

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

Fee for Application for Permit No. <u>6446-3</u> to Appropriate Water, to construct and to put water to beneficial use	250	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>6446-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	300.00

No.

000893

By

Darland Erbe

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

August 9, 1995

Lyons Fire Dept
Harold Boer
Hwy 143
Lyons SD 57041

Dear Mr. Boer:

Our records indicate that in 1991 the Lyons Fire Dept. filed an application for a Permit to Appropriate Water (copy enclosed). A review of our files indicates that the application was never completed.

Enclosed is a copy of the application and the November 1, 1991 letter stating what additional information is required in order to process the application. Does this well still supply water to the Lyons Fire Dept.?

Obtaining a water permit ultimately benefits the Lyons Fire Dept. by protecting it's right to use water. Without a water permit, no legal right exists to use water.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Environmental Scientist
505 773-3352

enclosures

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

November 1, 1991

Lyons Fire Dept
Harold Boer
Hwy 143
Lyons SD 57041

Dear Mr. Boer:

In regard to the water permit application received on October 31, 1991, the following information needs to be submitted and clarified in order to process the application for the Lyons Fire Department.

1. A map showing the location of the diversion point (place where the well is located) 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 SCS or ASCS office).
2. A well log or driller's test log signed by a South Dakota licensed well driller must accompany the application.
3. Please complete Item No. 2 of the application. The filing fee will be based on the amount of water claimed. The filing fee for 500 gallons per minute (gpm) with an annual volume limitation of 120 acre feet per year (39,100,000 gallons per year) would be \$150.00. The application fee for 500 gpm with no annual use limitation would be \$350.00.

Upon receipt of the above, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

December 31, 1991

Lyons Fire Dept.
Harold Boer
Hwy 143
Lyons SD 57041

Dear Mr. Lyons:

On October 31, 1991, you submitted an application (copy enclosed) for a permit to appropriate water for use by the Fire Dept. You were notified on November 1, 1991 (copy enclosed) that the application was incomplete and were instructed what additional information was necessary in order to complete the application. To date, we have not received a response from you.

Obtaining a water permit ultimately benefits you by protecting your right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
(605) 773-3352

enclosure

REPORT ON WATER PERMIT APPLICATION NO. 6446-3
For Central States Fire Apparatus, LLC.
December 16, 2003

Application No. 6446-3 proposes to appropriate 0.44 cfs (200 gpm) from one well approximately 26 feet deep located in the NW ¼ SW ¼ of section 17, T103N R50W in Minnehaha County. The water is for industrial and fire protection use.

AQUIFER – BIG SIOUX MIDDLE SKUNK CREEK (BS-MSC)

The Big Sioux Middle Skunk Creek is a surficial outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 17,300 acres and contains an estimated 38,930 acre-feet of water in storage in Minnehaha County (Hedges, 1982). The aquifer extends to the north into Moody and Lake Counties and to the south where the aquifer becomes the Big Sioux Southern Skunk Creek aquifer. The Skunk Creek aquifer as described in the Minnehaha County Study underlies 43 square miles and contains an estimated 115,000 acre-feet of water in storage (Lindgren, 1992). The middle portion of the aquifer is simply a management unit of the entire aquifer system.

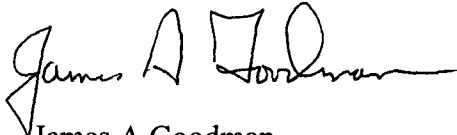
The Water Rights Program monitors three observation wells within a three mile radius of this application. One of the observation wells (MA-78D) is located about one-half mile north of this application. Water levels for this well show good response to climatic conditions that is, rising during wet years (recharge) and gradually declining during dry years. A hydrograph for this observation well is included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2003).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing water right No. 4358-3 (irrigation, 1.64 cfs, two wells, 115 acres) located about one-half mile north of the application. The closest irrigation well for this water right is located about 2,070 feet northwest of this application. Interference is not a concern. Drawdown created by pumping does not extend very far from individual production wells in this aquifer. The distance between existing wells is sufficient to minimize any potential impacts due to overlapping drawdown. Also, this application will apparently not be used that frequently.

CONCLUSIONS

1. Water is available from the Big Sioux Middle Skunk Creek aquifer.
2. The aquifer is under water table conditions in this area. Water levels do not change significantly as a result of pumping. With the distance between production wells interference is not expected to be a concern.
3. There is insufficient information available to determine the construction of this well.



James A Goodman
Natural Resources Engineer

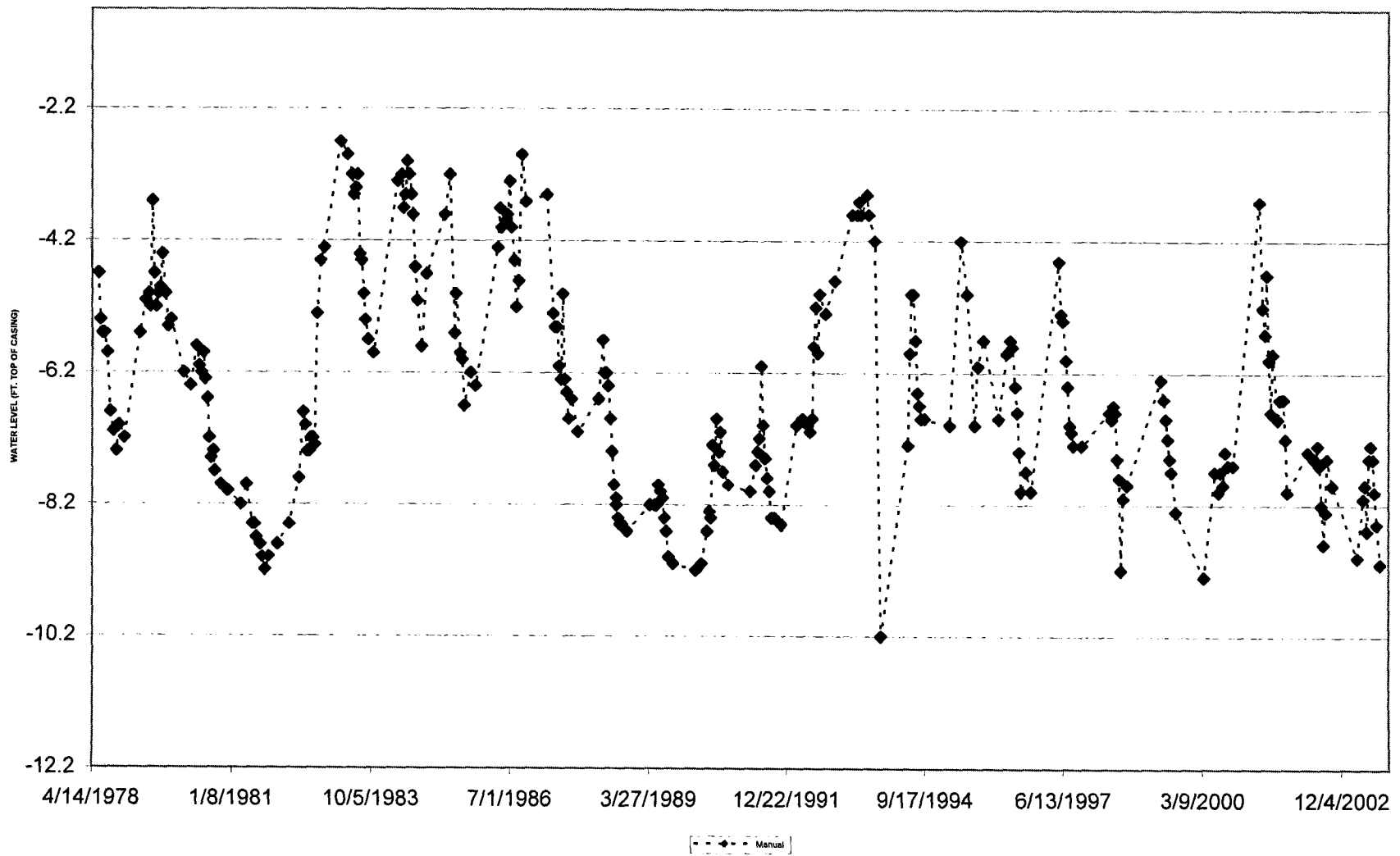
BIBLIOGRAPHY

Hedges, L.S., and others, 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.

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

Water Rights, 2003, Unpublished Observation Well Data for Minnehaha County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
MA-78D**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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. 6446-3, Central States Fire Apparatus, LLC**

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. 6446-3, Central States Fire Apparatus, LLC, c/o Harold Boer, PO Box 58, Lyons SD 57041.

The Chief Engineer is recommending APPROVAL of Application No. 6446-3 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 qualification:

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.

See report on application for additional information.

Garland Erbele, Chief Engineer
January 2, 2004



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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 5, 2004

Central States Fire Apparatus LLC
% Harold Boer
PO Box 58
Lyons SD 57041

Dear Mr. Boer:

Water Permit Application No. 6446-3 for industrial and fire protection 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 Argus Leader printed at Sioux Falls, SD (Ph # 605-331-2200). 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

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

January 5, 2004

Argus Leader
PO Box 5034
Sioux Falls SD 57117-5034

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6446-3 to Appropriate Water to be published twice. Please publish the first notice on January 15, 2004 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 Central States Fire Apparatus LLC, %Harold Boer, PO Box 58, Lyons SD (Ph # 605-543-5591).

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-----

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

No. 6446-3

Date _____

We are in receipt of your letter of January 5, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 6446-3 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 15, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6446-3 to Appropriate Water

Notice is given that Central States Fire Apparatus, LLC, % Harold Boer, PO Box 58, Lyons SD 57041 has filed an application for a water permit to appropriate 0.44 cubic feet of water per second from one well (Big Sioux: Middle Skunk Creek Aquifer) 26 feet deep located in the NW ¼ SW ¼ Section 17-T103N-R50W. The water is for industrial and fire protection use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6446-3 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 2, 2004.

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.

AFFIDAVIT OF PUBLICATION-
Customer Number: 078340
Invoice Number: 18271

DEPARTMENT OF ENVIRONMENT & NAT. RES.

Argus Leader AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

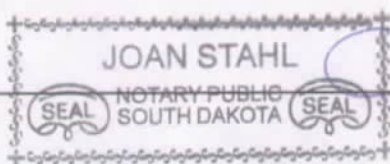
COUNTY OF MINNEHAHA } ss

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

Thursday, the 15 day of January 2004,
Thursday, the 22 day of January 2004,
_____, the _____ day of _____ 2004,
_____, the _____ day of _____ 2004,
_____, the _____ day of _____ 2004,
_____, the _____ day of _____ 2004,
_____, the _____ day of _____ 2004,

and that \$88.90 was charged for publishing the same including A \$5.00 affidavit fee.

[Signature]
Subscribed and sworn to before 1/22/2004



[Signature]
Notary Public, South Dakota

My Commission expires June 30th, 2005

NOTICE OF APPLICATION NO. 6446-3 Appropriate Water

Notice is given that Central States Fire Apparatus, LLC, % Harold Boer, PO Box 58, Lyons SD 57041 has filed an application for a water permit to appropriate 0.44 cubic feet of water per second from one well (Big Sioux: Middle Skunk Creek Aquifer) 26 feet deep located in the NW 1/4 SW 1/4 Section 17-T103N-R50W. The water is for industrial and fire protection use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6446-3 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 2, 2004.

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. Pimer, Secretary, Department of Environment and Natural Resources.
18271 Jan. 15, 22, 2003

RECEIVED

JAN 26 2004

WATER RIGHTS
PROGRAM

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

Date 10-14-03

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

FROM:

Central States Fire App LLC

(name)

100 3RD ST

(address)

Lyons SD 57041

(city, state, zip)

605-543-5591

(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. _____ states that the water use system is to be constructed by

Lyons F.D.
(date)

, and water is to be put to beneficial use by

Lyons F.D. / Central States Fire App LLC,
(date)

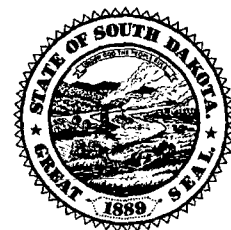
The water use system was completed on

existing
(date)

Applying the water to beneficial use was completed on

existing
(date)

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



Permit No. 6446-3
Big Sioux River - Water District

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

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

I have this day, **October 14, 2003**, made a thorough examination of the water use system constructed by **Central State Fire Apparatus, LLC** of **PO Box 58, Lyons, SD 57041** holder of Permit No. **6446-3**, bearing the priority of **October 17, 2003** authorizing the diversion of **0.44** cu. ft. per second of the waters of **water source** for **industrial and fire protection** purposes, in **Minnehaha** County.

Inspection contact & relationship to permit holder, if applicable:	Harold Boer, Manager of Central State Fire Apparatus, LLC (605) 543-5591
---	---

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm:
- 2) No. of Wells 1
- 3) Depth(s) 26 feet
- 4) Well log is available no
- 5) Comment:

Casing:

- 1) Diameter 12 inches
- 2) Length 11 feet
- 3) Type pvc

Screen:

- 1) Type slotted pvc
- 2) Length 15 feet
- 3) Static water level 10.5 feet

Pump:

- 1) Make submersible
- 2) Model
- 3) Size
- 4) Capacity 200 GPM

Motor:

- 1) Make submersible
- 2) Model No.
- 3) Horsepower rating 10 hp

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

- 1) Type steel
- 2) Size 5 inches
- 3) Length 10 feet

C. Works used to apply water to beneficial use:

5" rubber hose used to fill fire trucks.

D. Compliance with Permit Requirements:

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

The system is in good condition with the point of diversion located as follows: 2200' N and 85' E of the SW corner of Section 17, T103N, R50W. The works are capable of diverting and conveying to the place of use 0.44 cu. ft. per second of water which is to be used for industrial and fire protection. Water has been put to beneficial use to the maximum extent as follows:

To fill fire trucks for testing and fire protection.

The license should be issued for 0.44 cfs.

All structures, wells and lands on map yes

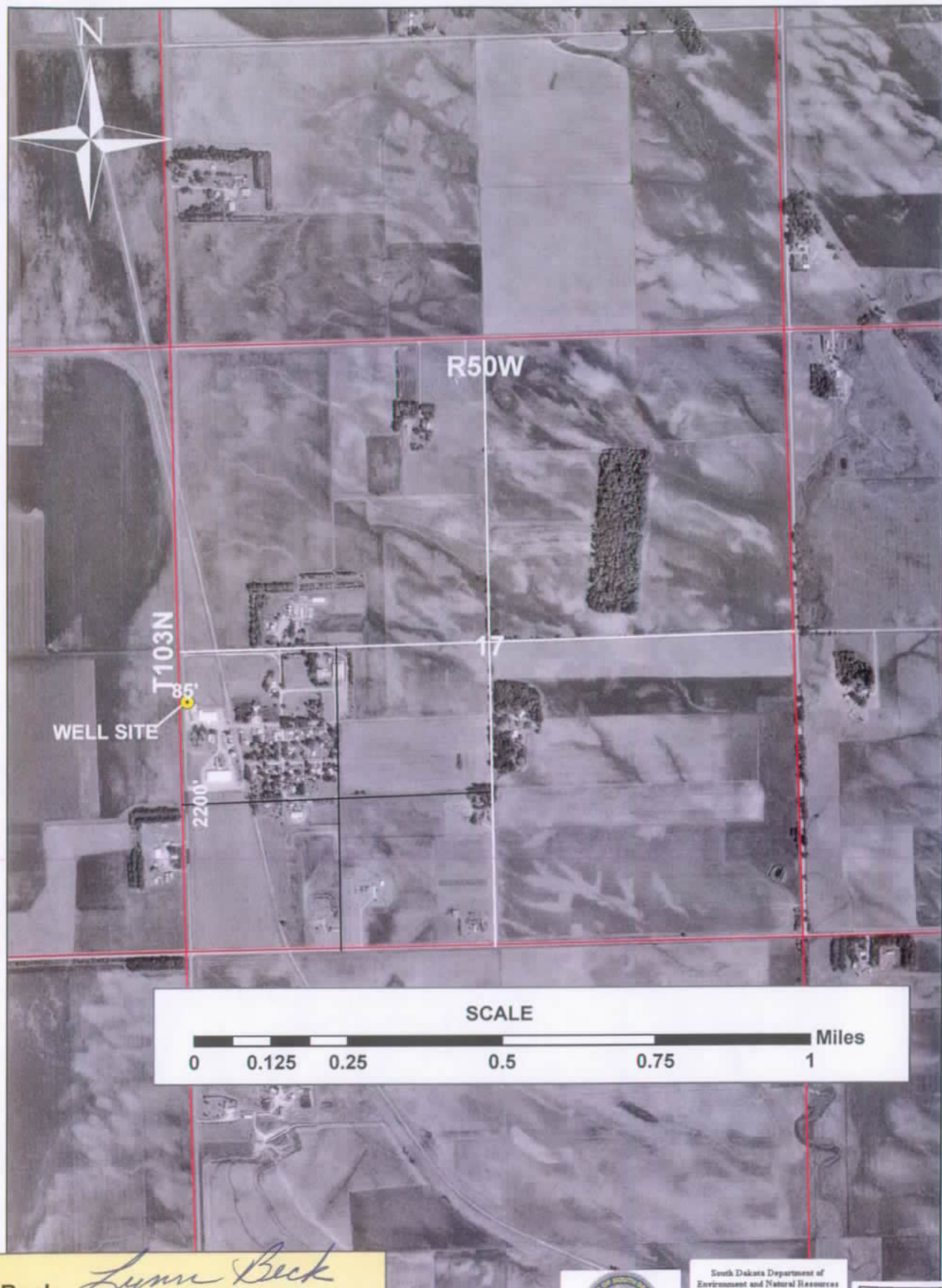
Comments or other permit(s) associated with the project:


Lynn Beck

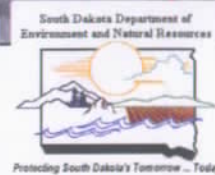
Natural Resources Engineer Specialist
DENR, Water Rights Program

Date report completed: October 21, 2003

WATER RIGHT APPLICATION
for
CENTRAL STATES FIRE APP., LLC



Lynn Beck *Lynn Beck*
Natural Resources Engineer Specialist
DENR, Water Rights Program
October 20, 2003



6446-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6446-3

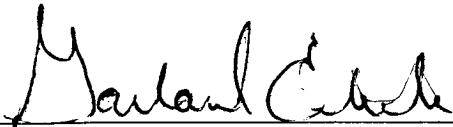
(1) Central States Fire Apparatus LLC, c/o Harold Boer, PO Box 58, Lyons SD 57041 made Application No. 6446-3, October 17, 2003 for a water permit to divert 0.44 cubic feet of water per second from groundwater (one well), Minnehaha County, South Dakota for industrial and fire protection purposes. Permit No. 6446-3, with a priority date of October 17, 2003 was approved February 2, 2004 and issued to the applicant with construction of the described water supply system and the application to beneficial use of water completed.

(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. 6446-3 is issued a license, bearing a priority date of October 17, 2003 to appropriate 0.44 cubic feet of water per second from groundwater (one well) for industrial and fire protection purposes.

The diversion point is located: 2,200 north and 85 feet east of the southwest corner of Section 17-T103N-R50W (NW ¼ SW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6446-3 including the following now applicable qualification:

- 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.



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

FEB 20 2004

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

FEB 20 2004

6446-3

Central States Fire Apparatus LLC
%Harold Boer
PO Box 58
Lyons SD 57041

Dear Mr. Boer:

Enclosed are Water Permit and Water License No. 6446-3. The Water License 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