

WATER PERMIT NO. 6475-3

Name of Applicant: City of Sioux Falls

Address: 224 W 9th St, Sioux Falls SD 57104-6407

Phone: 605 367-7040

Amount of Water Claimed: 3.2 cfs (1475 acre-feet)

Total Acres: NA

Source of Water Supply: groundwater (one existing well)

Water to be used for: municipal

County: Minnehaha

Type of Waste Disposal System:

Location:

PRIORITY

Date Received: 3-4-04

Application/License Fee: \$550

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: Increases the diversion rate and volume of water authorized by No. 2047A-3 and request the water use from this location year round. This water is withdrawn from Future Use Permit No. 448-3

Diversion Point: SE ¼ NE ¼ Sec 28-T103N-R49W

Land to be Irrigated: NA

Depth of Well: 42 feet deep

Well Driller: :

Remarks:

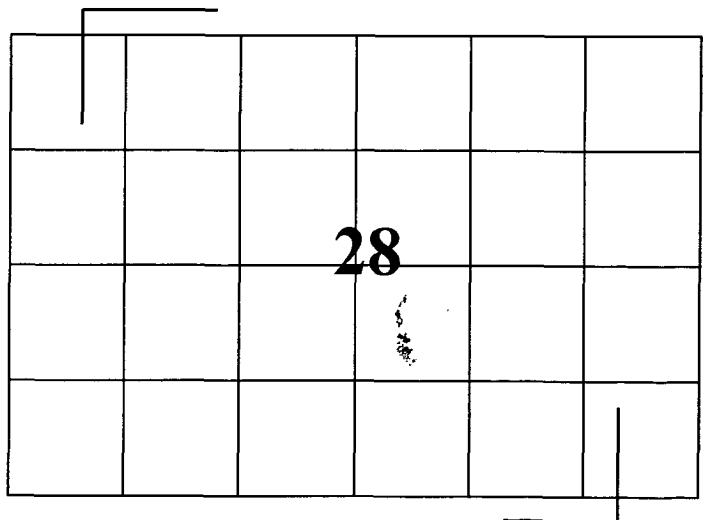
Type of Map: plat

Prepared by: Mark A Hardie, PE

Reviewed and the Number Assigned on: 3-9-04

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



RECEIVED

MAR 04 2004

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6475-3</u> (office use only)	Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Argus Leader, Sioux Falls</u>	
	<u>Sioux Valley News, Canton</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: (check one)

- ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☒ Place to Beneficial Use Water Reserved by Future Use Permit No. 448-3
☐ Amendment/Correction to Permit No. 2047A-3

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

City would like to apply for additional diversion rate of 3.2 CFS and 1,475 AF attached to Water Permit 2047A-3. This additional diversion rate for beneficial use would be aquired from Future Use Permit 448-3.

- Name of Applicant City of Sioux Falls Phone (605) 367-7040
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 224 West Ninth Street Sioux Falls State SD 57104-6407
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 3.200 *CFS or 1,436 **GPM 1,475.00 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Big Sioux Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County _____
One radial collector well in the SW1/4 SE1/4 NE1/4 Section 28-T103N-R49W
- County or counties where water will be used Minnehaha + Lincoln
- Annual period during which water is to be used 12 months (January-December)
- 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)

Well 71 is a radial collector well designed from aquifer storage with minimal contribution from induced recharge for surface water sources(e.g. Big Sioux River). Report reference: Hydrogeologic Evaluation Big Sioux Aquifer, Sioux Falls, SD, June 2003 by Howard R Green Company.
(See attached sheet)

STATE OF SOUTH DAKOTA)

County of Minnehaha

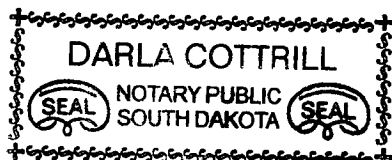
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Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Randy Janssen, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Randy Janssen

Subscribed and sworn to before me this 23 day of Feb 20 04



Darla Cottrill

Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6475-3**

Date of first receipt of application March 4, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6475-3 to the City of Sioux Falls, 224 W 9th St, Sioux Falls SD 57104-6407 authorizing the construction of the water use system and the placing of water to beneficial use water reserved by Future Use Permit No. 448-3 subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6475-3 authorizes the diversion of an additional 3.20 cubic feet of water per second (cfs) [1,475 acre-feet of water annually] from the Sioux Falls Management Unit of the Big Sioux Aquifer by increasing the diversion rate authorized by Water Permit No. 2047A-3. Water Permit No. 2047A-3 authorizes 1.44 cfs (378 acre-feet of water annually) from one well (Big Sioux Aquifer) located in the SE ¼ NE ¼ Section 28-T103N-R49W. This permit increases the diversion rate authorized for the well from 1.44 cfs to 4.64 cfs with an increase of the annual volume to be withdrawn from the well from 378 acre-feet of water annually to 1,853 acre-feet of water annually. The additional 1,475 acre-feet of water annually is appropriated and reserved by Future Use Permit No. 448-3. The existing well is an old irrigation well that will be plugged and a new well (38 feet deep) constructed in the SE ¼ NE ¼ Section 28-T103N-R49W.
2. The water appropriated shall be used for the purpose of 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. 6475-3 is June 1, 2004.
5. The date from which applicant may claim right is April 8, 1957.
6. One-fifth of the construction is to be completed on or before December 1, 2006.
7. All construction is to be completed on or before June 1, 2009.
8. Water is to be put to beneficial use on or before June 1, 2013.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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

(continued)

2. Water Permit No. 6475-3 authorizes a total annual diversion of 1,475 acre feet of water.
3. The city of Sioux Falls shall report to the Chief Engineer annually the amount of water withdrawn from the Sioux Falls Management Unit of the Big Sioux Aquifer.

WATER MANAGEMENT BOARD

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

JUN 30 2004

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 19 feet Depth 38 feet
- b) Casing Type Concrete Diameter 16 feet (ID) Thickness 3 feet
- c) Screen Type Type 304 S.S. Diameter Nominal 8 inch Thickness 0.63 inch
- d) Gravel Pack Natural Length of Gravel Pack Not applicable
- e) Depth to Top of Water Bearing Material 10 feet
- f) Depth to Water (ground surface to water level) 2 to 6 feet
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others 2,000 feet

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

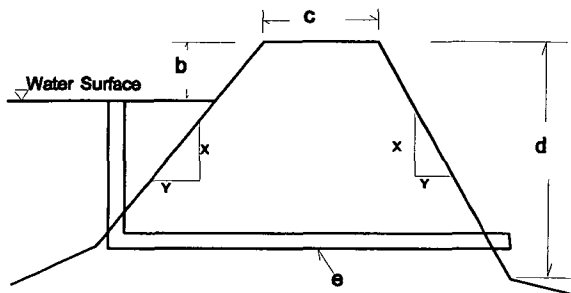
3. Dugout Information

- 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

It is the goal of the city is to divert 4.64 CFS with an annual volume of 2486 ac-ft of water with the new well. The city is applying to construct and place to beneficial use 3.20 CFS additional diversion rate and 1475 ac-ft of water from the water reserved by Future Use Permit No. 448-3.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 9, 2004

RECEIVED OF City of Sioux Falls, 224 West Ninth Street, Sioux Falls SD 57104-6407

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

Fee for Application for Permit No. <u>6475-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	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>6475-3</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	550.00

No.

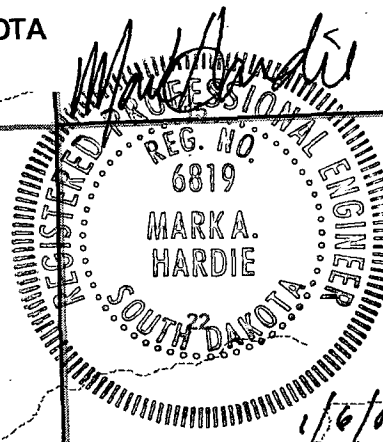
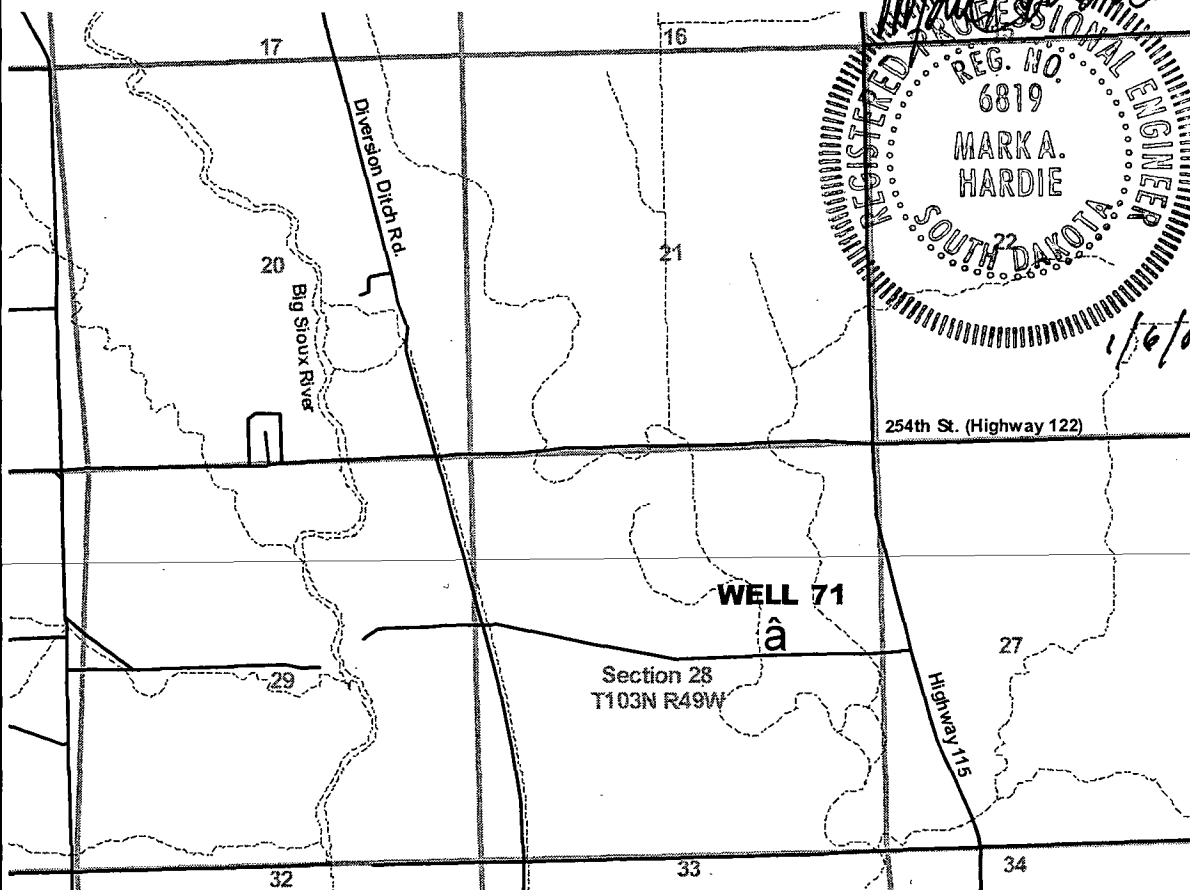
002224

By

Darla S. Erbe
Chief Engineer gm

MAP SHOWING LOCATION OF DIVERSION POINT WELL 71

SIoux FALLS, SOUTH DAKOTA



Location of Diversion Point Known as Well 71:

SW 1/4 SE1/4 NE1/4 Section 28-T103N-R49W
and 2,750 feet SW of the NE corner of Section 28-T103N-R49W.

City of Sioux Falls
Water Department



HOWARD R. GREEN COMPANY

6475-3



GEOTEK ENGINEERING
& TESTING SERVICES, INC.
903 EAST 50TH STREET NORTH
SIOUX FALLS, SOUTH DAKOTA 57104
605-335-5512 FAX 605-335-0773

GEOTECHNICAL TEST BORING LOG

JOB # 03-990

BORING # SB7

PROJECT PROPOSED CITY WELL, HWY 115 & 254TH ST, MINNEHAHA COUNTY, SD

DEPTH IN FEET	DESCRIPTION OF MATERIAL SURFACE ELEVATION	GEOLOGIC ORIGIN	SAMPLE DATA				LABORATORY TESTS			
			WL	N	NO	TYPE	W	D	LL PL	QU
5	SILTY CLAY, black (CL)	TOPSOIL								
	SILTY CLAY, gray (CL)	FINE ALLUVIUM								
	SAND, medium & fine grained, a little gravel, gray (SP)	COARSE ALLUVIUM								
28	SD WELL DRILLER'S LICENSE No 552 <i>Ashtole</i>				1	SB				
					2	SB				
					3	SB				
30	SAND, medium grained, a little gravel, gray (SP)									
	CONTINUED ON NEXT PAGE									

GEOTECHNICAL TEST BORING LOG

JOB # 03-990

BORING # SB7 CONT

PROJECT PROPOSED CITY WELL, HWY 115 & 254TH ST, MINNEHAHA COUNTY, SD

[illegible]

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: City of Sioux Falls water permit application

ADDRESS: COUNTY: Minnehaha

DATE: March 8, 2004 TELEPHONE: (605) 367-7040

RE: Discussion with Randy Janssen, Water Superintendent

COMMENTS:

I contacted Mr. Janssen regarding the application received by the Water Rights Program on March 4, 2004.

I stated that the application proposed to increase the volume of the water under Permit No. 2047A-3 by 1,475 acre feet of water. Water Permit No. 2047A-3 amended an irrigation right to municipal use and was issued for a total annual volume of 378 acre feet of water during a period May 1 – September 30. This new application proposes to increase the diversion rate and volume of water. The total volume of water that could be diverted each year from this location if this application is approved would be 1,853 acre feet of water. This is based off of the city's need for 600 million gallons of water.

I indicated to Mr. Janssen that the supplemental page with the application indicated a total volume of 2,468 acre feet of water. Mr. Janssen stated this was in error and amend the application accordingly so it reflect a total annual volume of 1,853 acre feet of water (1,475 ac-ft + 378 ac-ft = 1,853 acre feet).

This application is also to make the use of water from this location year round.

Mr. Janssen stated that a new radial collector well will be drilled and that the old irrigation well is to be abandoned and plugged in accordance with the well construction standards.

Finally, we discussed the application filing fee. The fee is based off of \$500 for constructing and placing to beneficial use 1,475 acre feet of water and the \$50 licensing fee.

NAME: Eric Janssen

WATER PERMIT APPLICATION NO. 6475-3
CITY OF SIOUX FALLS
APRIL 28, 2004

Water Permit Application No. 6475-3 proposes to construct the works and place to beneficial use water reserved by Future Use Permit No. 448-3. The application proposes to divert an additional 3.20 cubic feet of water per second (cfs) (1,475 acre-feet annually (ac-ft/yr)) from the Sioux Falls management unit of the Big Sioux aquifer by increasing the diversion rate authorized by Water Permit No. 2047A-3. Water Permit No. 2047A-3 authorizes 1.44 cfs (378 acre-feet of water annually) from one well (Big Sioux: Sioux Falls) located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28, T103N-R49W. This application will increase the diversion rate authorized for the well from 1.44 cfs to 4.64 cfs, with an increase of the annual volume of water to be withdrawn from the well from 378 ac-ft/yr to 1,853 ac-ft/yr. The additional 1,475 ac-ft/yr of water is appropriated and reserved by Future Use Permit No. 448-3. This application also proposes to construct a new well to replace the existing well. In addition this application proposes to allow year round water use. Currently, Water Permit No. 2047A-3 only allows the diversion of water from May 1 through September 30. The water will be used for municipal purposes by the City of Sioux Falls.

AQUIFER: Big Sioux: Sioux Falls (BS: SF)

AQUIFER CHARACTERISTICS:

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

The Water Rights Program monitors 13 observation wells completed into the Sioux Falls management unit of the Big Sioux aquifer. Water Rights' Observation Well MA-80J is located within one-half mile of this proposed well location. The hydrograph for the well is shown in figure 1.

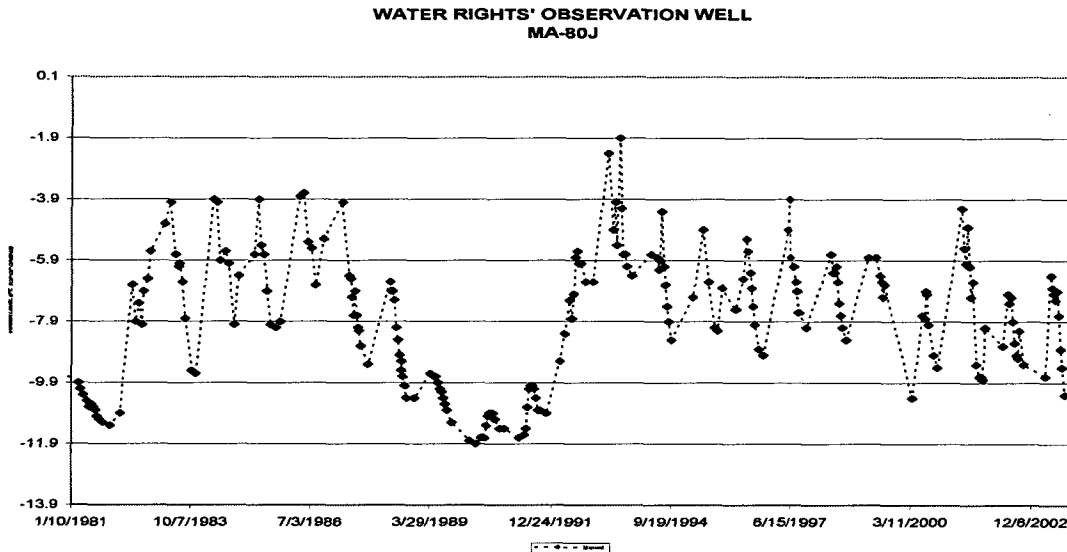


Figure 1. Hydrograph of Water Rights' observation well located approximately one-half mile from this proposed well site.

Data from the observation wells indicate the water levels rise during the late winter and spring due to recharge, if available. The water level of the aquifer fluctuates rapidly in response to recharge. The response to withdrawals is less obvious and tends to be represented by a slow gradual decline. The decline of water levels during the summer months is due to increased evapotranspiration, reduced recharge, and pumpage. Data from the observation wells indicate the aquifer is capable of sustaining additional withdrawals.

WATER AVAILABILITY:

This application, if approved, does not appropriate any additional water from the Sioux Falls management unit. Water Permit Application No. 6475-3 proposes to place to beneficial use 1,475 ac-ft/yr of water that has been reserved from the Sioux Falls management unit with Future Use Permit No. 448-3. The future use permit originally appropriated 43.68 cfs from the aquifer. There is currently 5,318 ac-ft/yr remaining reserved by the future use.

Although there are a number of permits/right for water from the Sioux Falls Management Unit, historically, the average annual use has been less than 15% of the maximum that could be pumped. Average annual pumpage (total) from the Unit was estimated in 1983 to be 17,370 acre-feet per year (Hedges, 1983). The average daily use (total) from the aquifer was estimated in 1989 to be 20.0 MGD (22,627 ac-ft/yr), (Barari, 1989). Reported withdrawals in acre-feet annually from the Sioux Falls Management Unit by appropriative users are shown in Table 1 (Water Rights, 2004_c).

	City of Sioux Falls	MCWC	Irrigation	TOTAL
1990	17,788	1,253	473	19,514
1991	10,257	1,400	409	12,066
1992	12,334	1,458	160	13,952
1993	9,956	1,489	124	11,569
1994	10,597	1,722	253	12,572
1995	8,211	1,752	240	10,203
1996	10,586	1,967	246	12,799
1997	12,382	1,841	467	14,690
1998	11,647	1,967	294	13,908
1999	11,507	2,098	414	14,019
2000	9,014	2,219	494	11,727
2001	12,873	2,314	359	15,546
2002	6,788	2,405	459	9,652
2003	11,402	2,630	N/A	

Table 1. Water Use Reported from the Sioux Falls Management Unit

Declaratory ruling:

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

Water use from the Sioux Falls Management Unit in the future will be limited to a total withdrawal of 32,200 ac-ft/yr. When this limit is approached, water use will be restricted on a priority basis until withdrawals do not exceed 32,200 ac-ft/yr. The practical effect of the 32,200 ac-ft/yr limit allows for management of the aquifer, and on a priority basis if necessary. The increased use by this permit will not cause withdrawals from the management unit to exceed 32,200 ac-ft/yr. Development of water reserved by future use permits could however, result in withdrawals from the aquifer exceeding 32,200 ac-ft/yr with existing appropriations. If pumping from the aquifer exceeds 32,200 ac-ft/yr, junior water right holders will have to limit their pumping.

There are 65 Water Rights/Permits appropriating water from the Sioux Falls management unit of the Big Sioux aquifer. A total of 24 Water Rights/Permits from the management unit do not belong to the City of Sioux Falls. They are listed in Table 2.

PERMIT	NAME	PRIORDATE	STATUS	USE
538-3	CITY OF BALTIC	6/7/58	LC	MUN
656-3	CLARENCE MACHMILLER	8/28/59	LC	IRR
1270-3	R C SWEETMAN	2/23/66	LC	IRR
1790-3	LINCOLN COUNTY RWS	11/23/70	PE	RWS
6162-3	LINCOLN COUNTY RWS	11/23/70	PE	RWS
2244-3	MRS DALE SWARTZ	4/8/75	LC	IRR
2311-3	MINNEHAHA COMM WATER CORP	7/8/75	LC	RWS
4034-3	E M SWEETMAN	5/13/77	LC	IRR
4620-3	MISSOURI BASIN MUN POWER	9/30/81	LC	GEO
4838-3	MINNEHAHA COMM WATER CORP	10/19/81	FU	FU
4838A-3	MINNEHAHA COMM WATER CORP	10/19/81	FU	FU
5468-3	MINNEHAHA COMM WATER CORP	10/19/81	LC	RWS
5805-3	MINNEHAHA COMM WATER CORP	10/19/81	LC	RWS
4843-3	KOA KAMPGROUNDS	12/16/81	LC	COM
4880-3	HENRY CARLSON	3/12/82	LC	GEO
5019-3	MIDWEST LAWN CARE CORP	4/27/84	LC	COM
5681-3	ST MICHAEL CEMETERY	9/25/87	LC	COM
5454-3	SD LAND COMPANY	10/16/90	LC	IRR
5556-3	ELMWOOD GOLF COURSE	3/21/91	LC	IRR
5716-3	MINNEHAHA COMM WATER CORP	8/7/92	FU	FU
5966-3	MICHAEL WILLIAMS	11/6/96	PE	IRR
5967-3	MICHAEL WILLIAMS	11/6/96	PE	IRR
6008-3	HERMAN BRENDE	6/6/97	PE	IRR
6164-3	MINNEHAHA COMM WATER CORP	1/5/00	PE	RWS

Table 2. Appropriations not belonging to the City of Sioux Falls from the Sioux Falls Management Unit.

The priority date of this appropriation (April 8, 1957), if approved, will make this appropriation senior to all of the Water Rights/Permits in the Sioux Falls management unit that are held by others.

Effects on Existing Rights:

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

Well interference:

The nearest existing Water Right to the site proposed for this well is Water Right No. 2244-2, Mrs. Dale Swartz, and it is located approximately one mile to the north. Any

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

Cumulative affect:

Annual withdrawal limitation:

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

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

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

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

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

Temporary Permits:

On June 28, 1957 the Water Rights Commission (now known as the Water Management Board) approved Future Use Permit No. 448-3. This permit claimed 46.8 cfs from the Sioux Falls Management Unit for future use by the City of Sioux Falls. At the present time, 5,318 ac-ft/yr remains reserved by this permit for future use. If Water Permit Application No. 6475-3 is approved, 3,843 ac-ft/yr will remain reserved in Future Use Permit No. 448-3.

Applications that have been filed by other parties to appropriate water from within the area specified by Future Use Permit No. 448-3, when approved, have been approved as temporary use permits pursuant to SDCL 46-5-39. The temporary use permits within the future use are appropriate 2,901.6 ac-ft/yr for irrigation. Each of these Water Rights contain the following qualification:

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

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

CONCLUSIONS:

1. Water Permit Application No. 6475-3 proposes to construct the works and place to beneficial use 1,475 acre-feet of water annually, with a maximum diversion rate of 3.2 cfs. This water was appropriated and reserved by Future Use Permit No. 448-3.
2. A total of 3,843 acre-feet of water annually will remain reserved from the Sioux Falls management unit with Future Use Permit No. 448-3 if Water Permit Application 6475-3 is approved.
3. ~~The appropriation for this permit was essentially made June 28, 1957, when Future Use Permit 448-3 was approved. The availability of unappropriated water from the Sioux Falls management unit will not be affected by approval of this application.~~
4. There is a reasonable probability this appropriation can be made without adversely affecting existing developed rights.
5. The appropriation proposed by these applications will not cause withdrawals to exceed the annual limitation that was established for the management unit by Board's November 14, 1992 “Declaratory Ruling on Establishment of a Maximum Annual Withdrawal Limitation for the Big Sioux Aquifer: Sioux Falls Management Unit” (32,200 acre-feet per year).
6. Previous applications filed by other parties to appropriate water from within the area specified by Future Use Permit No. 448-3 were approved as Temporary Use Permits pursuant to SDCL 46-5-39.
7. Water Right No. 2047-3 was originally a temporary use permit pursuant to SDCL 46-5-39. As such it is subject to development that may occur under Future Use No. 448-3. If this application is approved, the diversion authority authorized by Water Right No. 2047-3 and amended by Water Permit No. 2047A-3 should

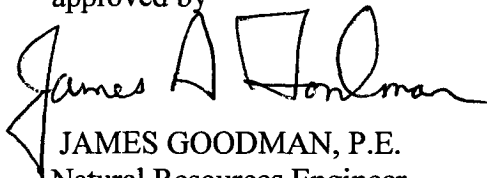
continue to be a temporary use permit subject to development under Future Use No. 448-3.

8. Since the Water Management Board's November 14, 1991 "Declaratory Ruling Regarding the Decline of the Water Levels in Private Domestic Wells in the Big Sioux Aquifer: Sioux Falls Management Unit", new appropriations from the management unit have included the following qualification:
"If development and pumping of Sioux Falls Management Unit of the Big Sioux Aquifer water appropriated by this permit results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04."
9. This application amends Water Permit No. 2047A-3 to change the diversion point authorized by the application.
10. There should be two priority dates associated with Water Permit No. 2047A-3, if approved. The priority date for 1.44 cfs and 378 ac-ft/yr from May 1 through September 30 should be February 13, 1974. The priority date for 1.44 cfs from September 31 through April 30 should be April 4, 1957. The priority date for 3.2 cfs year round and 1,475 ac-ft/yr should be April 4, 1957.



KEN BUHLER
Natural Resources Engineer

approved by



JAMES GOODMAN, P.E.
Natural Resources Engineer

REFERENCES:

Barari, A., Iles, D., Cowman, T., 1989, Assessment of Water Resources and Conceptual Evaluation of a Regional Water Supply for Southeastern South Dakota, SD Dept. of Environment and Natural Resources, Geological Survey Program, Open-File Report 60-UR

- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa: SD DENR-Geological Survey U.S. Army Corps of Engineers Contract DAWC 45-80-C-0185
- Hedges, L.S., Burch, S., Iles, D., 1983, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 6: Average Annual Water Use by Aquifer, U.S.Army Corps of Engineers Contract DACW 45-80-C-0185
- Lindgren, R.J., and Niehus, C.A., 1992, Water Resources of Minnehaha County, South Dakota: USGS, Water-Resources Investigations Report 91-4101
- Water Rights Program, 1992, "November 14, 1992 Water Management Board Minutes", South Dakota DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program, 2004a, "Unpublished Observation Well Records", South Dakota DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program, 2004b, "Water Permit/Right Files", South Dakota DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program, 2004c, "Irrigation Summary By Aquifer", DENR-Water Rights Program, Joe Foss Building, Pierre, SD



**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. 6475-3, City of Sioux Falls**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6475-3, City of Sioux Falls, c/o Randy Janssen, Water Superintendent, 224 W 9th Street, Sioux Falls SD 57104 6407.

The Chief Engineer is recommending APPROVAL of Application No. 6475-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualifications:

1. If the development and pumping of the Sioux Falls Management Unit of the Big Sioux Aquifer ~~water appropriated by this permit results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary.~~ SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.
2. Water Permit No. 6475-3 authorizes a total annual diversion of 1,475 acre feet of water.
3. The city of Sioux Falls shall report to the Chief Engineer annually the amount of water withdrawn from the Sioux Falls Management Unit of the Big Sioux Aquifer.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 7, 2004

AFFIDAVIT OF PUBLICATION-

Customer Number: 078340

Invoice Number: 716430

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 13 day of May 2004,

Thursday, the 20 day of May 2004,

_____, the _____ day of _____ 2004,

_____, the _____ day of _____ 2004,

_____, the _____ day of _____ 2004,

_____, the _____ day of _____ 2004,

_____, the _____ day of _____ 2004,

and that \$125.86 was charged for publishing the same including a \$5.00 affidavit fee.

Subscribed and sworn to before 5/20/2004

JOAN STAHL**NOTARY PUBLIC
SOUTH DAKOTA**

Notary Public, South Dakota

My Commission expires June 30th, 2005

State Notices**NOTICE OF**

APPLICATION NO. 6475-3

Notice is given that the City of Sioux Falls, c/o Randy Janssen, 224 W 9th St, Sioux Falls, SD 57104-6407 has filed an application for a water permit to construct the works and place to beneficial use water reserved by Future Use Permit No. 448-3. The application proposes to divert an additional 3.20 cubic feet of water per second (cfs) [1,475 acre-feet of water annually] from the Sioux Falls Management Unit of the Big Sioux Aquifer by increasing the diversion rate authorized by Water Permit No. 2047A-3. Water Permit No. 2047A-3 authorizes 1.44 cfs (378 acre-feet of water annually) from one well (Big Sioux Aquifer) located in the SE1/4 NE1/4 Section 28-T103N-R49W. This application will increase the diversion rate authorized for the well from 1.44 cfs to 4.64 cfs with an increase of the annual volume to be withdrawn from the well from 378 acre-feet of water annually to 1,853 acre-feet of water annually. The additional 1,475 acre-feet of water annually is appropriated and reserved by Future Use Permit No. 448-3. The existing well is an old irrigation well that will be plugged and a new well (38 feet deep) constructed in the SE1/4 NE1/4 Section 28-T103N-R49W. This application also proposes to amend Water Permit No. 2047A-3 to authorize year round water use. Currently, Water Permit No. 2047A-3 only allows diversion of water from May 1 - September 30. Water will be used for municipal purposes by the City of Sioux Falls.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6475-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 June 1, 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.
716430 May 13 & 20, 2004

RECEIVED**MAY 24 2004****WATER RIGHTS
PROGRAM**

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LINCOLN

JULIE GERBER

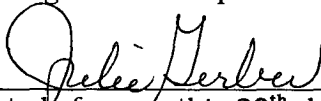
being first duly sworn on her oath says; that the Sioux Valley News is a legal weekly newspaper of general circulation as required by South Dakota Code of Nineteen Hundred Thirty-Nine, and any acts amendatory thereto, printed and published by the Sioux Valley News, Inc., in Canton, in said county and State, and has been such legal newspaper during the time hereinafter mentioned; that she is and during all of said time was bookkeeper of said newspaper and has personal knowledge of the facts stated in this affidavit; that the advertisement headed:

NOTICE OF APPLICATION NO. 6475-3

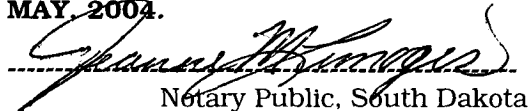
a printed copy of which is hereto attached, was printed and published in said newspaper for **TWO** successive weeks upon the following dates, to-wit:

MAY 13, 2004
MAY 20, 2004

that the full amount of the fees charged for publishing the same to-wit: the sum of **\$47.73** insures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.



Subscribed and sworn to before me this **20th** day of **MAY, 2004.**


Notary Public, South Dakota

(Seal)

Jeanne M. Limoges
My Commission Expires
November 18, 2009

NOTICE OF APPLICATION NO. 6475-3

Notice is given that the City of Sioux Falls, c/o Randy Janssen, 224 W 9th St, Sioux Falls SD 57104-6407 has filed an application for a water permit to construct the works and place to beneficial use water reserved by Future Use Permit No. 448-3. The application proposes to divert an additional 3.20 cubic feet of water per second (cfs) [1,475 acre-feet of water annually] from the Sioux Falls Management Unit of the Big Sioux Aquifer by increasing the diversion rate authorized by Water Permit No. 2047A-3. Water Permit No. 2047A-3 authorizes 1.44 cfs (378 acre-feet of water annually) from one well (Big Sioux Aquifer) located in the SE1/4NE1/4 Section 28-T103N-R49W. This application will increase the diversion rate authorized for the well from 1.44 cfs to 4.64 cfs with an increase of the annual volume to be withdrawn from the well from 378 acre-feet of water annually to 1,853 acre-feet of water annually. The additional 1,475 acre-feet of water annually is appropriated and reserved by Future Use Permit No. 448-3. The existing well is an old irrigation well that will be plugged and a new well (38 feet deep) constructed in the SE1/4NE1/4 Section 28-T103N-R49W. This application also proposes to amend Water Permit No. 2047A-3 to authorize year round water use. Currently, Water Permit No. 2047A-3 only allows diversion of water from May 1 - September 30. Water will be used for municipal purposes by the City of Sioux Falls.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6475-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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. (5-13, 20)

RECEIVED
MAY 24 2004
WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on May 13, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6475-3

Notice is given that the City of Sioux Falls, c/o Randy Janssen, 224 W 9th St, Sioux Falls SD 57104-6407 has filed an application for a water permit to construct the works and place to beneficial use water reserved by Future Use Permit No. 448-3. The application proposes to divert an additional 3.20 cubic feet of water per second (cfs) [1,475 acre-feet of water annually] from the Sioux Falls Management Unit of the Big Sioux Aquifer by increasing the diversion rate authorized by Water Permit No. 2047A-3. Water Permit No. 2047A-3 authorizes 1.44 cfs (378 acre-feet of water annually) from one well (Big Sioux Aquifer) located in the SE ¼ NE ¼ Section 28-T103N-R49W. This application will increase the diversion rate authorized for the well from 1.44 cfs to 4.64 cfs with an increase of the annual volume to be withdrawn from the well from 378 acre-feet of water annually to 1,853 acre-feet of water annually. The additional 1,475 acre-feet of water annually is appropriated and reserved by Future Use Permit No. 448-3. The existing well is an old irrigation well that will be plugged and a new well (38 feet deep) constructed in the SE ¼ NE ¼ Section 28-T103N-R49W. This application also proposes to amend Water Permit No. 2047A-3 to authorize year round water use. Currently, Water Permit No. 2047A-3 only allows diversion of water from May 1 – September 30. Water will be used for municipal purposes by the City of Sioux Falls.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6475-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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**

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 NEWSPAPERS RIGHT AWAY.

May 7, 2004

City of Sioux Falls
% Randy Janssen
224 W 9th St
Sioux Falls SD 57104-6407

Dear Mr. Janssen:

Water Permit Application No. 6475-3 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 Publishers of the Argus Leader printed at Sioux Falls, SD (Ph # 605-331-2200) and the Sioux Valley News printed at Canton, SD (Ph #605-764-2000). You will need to contact the newspapers 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 newspapers to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization, the publishers have been instructed to publish your notice once each week for two consecutive weeks. The newspapers have 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.



May 7, 2004

Argus Leader
PO Box 5034
Sioux Falls SD 57117-5034

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6475-3 to Appropriate Water to be published twice. Please publish the first notice on May 13, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Sioux Falls, % Randy Janssen, 224 W 9th St., Sioux Falls, SD (Ph # 605-367-7040).

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. 6475-3

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

Date _____

We are in receipt of your letter of May 7, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 6475-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 7, 2004

Sioux Valley News
PO Box 255
Canton SD 57013-0255

ATTENTION: Legal Public Notice

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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 Sioux Falls, % Randy Janssen, 224 W 9th St., Sioux Falls, SD (Ph # 605-367-7040).

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.

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

No. 6475-3

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

Date _____

We are in receipt of your letter of May 7, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 6475-3 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
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

JUN 30 2004

City of Sioux Falls
% Randy Janssen
224 W 9th St
Sioux Falls SD 57104-6407

Dear Mr. Janssen:

Enclosed is Water Permit No. 6475-3 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 1/31/2006

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

FROM: City of Sioux Falls % Randy Janssen
(name)

224 West 9th Street PO Box 7402
(address)

Sioux Falls SD 57117-7402 (605) 367-7040
(city, state, zip) (phone)

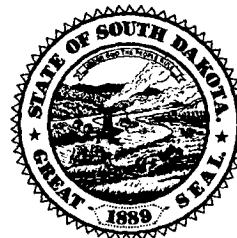
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6475-3 states that the water use system is to be constructed by
6/1/2009 , and water is to be put to beneficial use by 6/1/2013 .
(date) (date)

The water use system was completed on 2/22/2005 .
(date)

Applying the water to beneficial use was completed on 2/28/2005 .
(date)

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



Permit Nos. 6475-3 & 2047A-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, June 27, 2006, made a thorough examination of the water use system constructed by City of Sioux Falls of 224 W 9th St., Sioux Falls, SD 57104 holder of Permit No. 6475-3, bearing the priority of April 8, 1957 authorizing the diversion of an additional 3.2 cu. ft. per second (1,475 acre-feet annually) and Permit No. 2047A-3, bearing the priority of April 8, 1957 authorizing the diversion of 1.44 cu. ft. per second (378 acre-feet annually) of the waters of the Sioux Falls Management Unit of the Big Sioux Aquifer for municipal purposes, in Minnehaha County.

Inspection contact & relationship
to permit holder, if applicable:

Bruce Anderson – City of Sioux Falls cell 605-940-0526
Randy Janssen – Water Superintendent 605-367-7040

A. Works used to divert the water:

Well Information: Radial Collector Well

- 1) Well Drilling Firm:
- 2) No. of Wells 1
- 3) Depth(s) 38 feet
- 4) Well log is available test logs
- 5) Comment: The well is a Radial Collector well. The well consists of a 16' diameter concrete vertical shaft that leads to four lateral collectors.

Casing:

- 1) Diameter 16 feet
- 2) Length 38 feet
- 3) Type concrete

Screen: 4 – lateral collectors

- 1) Type stainless steel
- 2) Length 450 feet total
- 3) Static water level 10 feet

Pump:

- 1) Make Goulds
- 2) Model 14RHMC
- 3) Size
- 4) Capacity 2088 GPM

Motor:

- 1) Make US Electric
- 2) Model No. 6763
- 3) Horsepower rating 100 hp

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

- 1) Type ductile iron 2) Size 12 inches 3) Length 1310' feet

C. Works used to apply water to beneficial use:

City of Sioux Falls municipal water distribution system.

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: 2570' S and 1340' W of the NE corner Section 28-T103N-R49W; 43.696232, -96.716419. The works are capable of diverting and conveying to the place of use 4.64 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 as follows:

The license should be issued for 4.64 cfs combined and/or 1853 acre-feet combined annually.

All structures, wells and lands on map yes

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

The old well under 2047A-3 has been plugged.

Future Use Permit 448-3 authorized 6929 acre-feet with 3843 acre-feet remaining after the March 2, 2006 review.

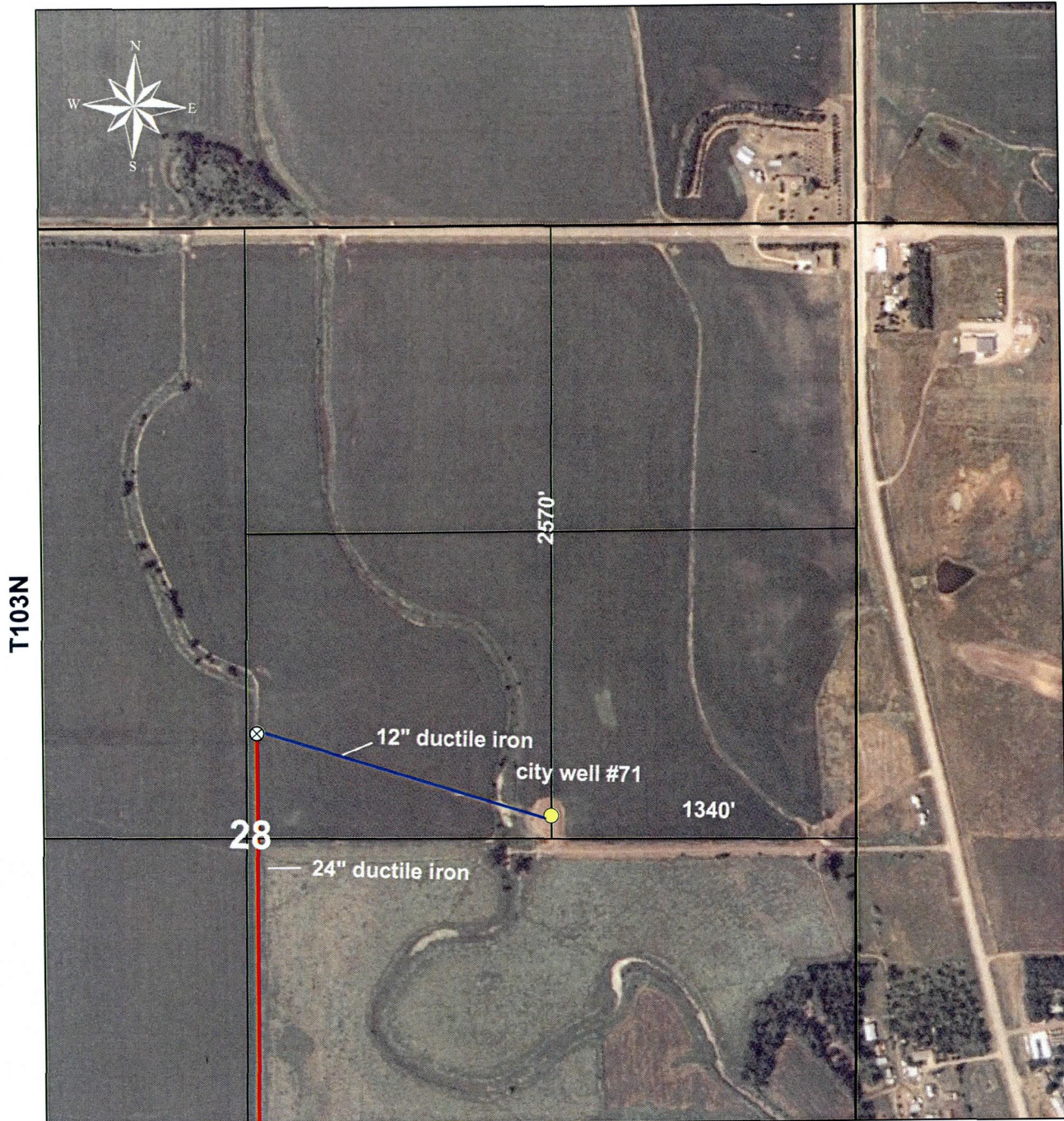

Lynn Beck

Natural Resources Engineer Specialist
DENR, Water Rights Program

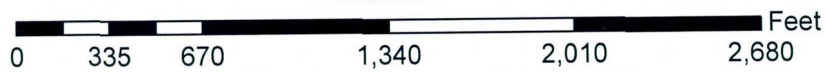
Date report completed: July 14, 2006

WATER RIGHT NO. 6475-3
City of Sioux Falls

R49W



SCALE



Lynn Beck

Lynn Beck
Natural Resources Engineer
DENR, Water Rights Program
July 13, 2006



South Dakota





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 01 2006

2047A-3
6475-3

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

Dear Mr. Janssen:

Enclosed is Reissued Temporary Use Water Permit No. 2047A-3 and Water License No. 6475-3. These are the final documents completing the city's process of obtaining a Water Right.

As long as you use the water beneficially, as stated in the Reissued Temporary Use Water Permit and the Water License, State Water Laws provide that the city has a continuing right to use the water.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6475-3

(1) The City of Sioux Falls, 224 W 9th St, Sioux Falls SD 57104 made Application No. 6475-3, March 4, 2004 for a water permit to divert an additional 3.20 cubic feet of water per second (cfs) [1,475 acre-feet annually] from groundwater (one well), Minnehaha County, South Dakota for municipal use purposes. Permit No. 6475-3, with a priority date of April 8, 1957 (established by Future Use Permit No. 448-3) was approved June 1, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 1, 2009 and for the application to beneficial use of water on or before June 1, 2013.

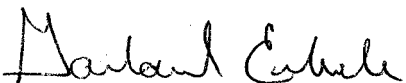
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Incorporated Water Right No. 6475-3 is issued a license, bearing a priority date of April 8, 1957 to appropriate 3.20 cfs [1,475 acre-feet annually] from groundwater (one well) for municipal use purposes.

The diversion point is located: 2,570 feet south and 1,340 feet west of the northeast corner Section 28-T103N-R49W (SE ¼ NE ¼).*

* *Temporary Use Water Permit No. 2047A-3, with a priority date of February 13, 1974 authorizes 1.44 cfs [378 acre-feet annually] from the same wells for a total authorized diversion of 1,853 acre-feet of water annually.*

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6475-3 including the following now applicable qualifications:

- If the development and pumping of the Sioux Falls Management Unit of the Big Sioux Aquifer water appropriated by this permit results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.
- Water Permit No. 6475-3 authorizes a total annual diversion of 1,475 acre feet of water.
- The city of Sioux Falls shall report to the Chief Engineer annually the amount of water withdrawn from the Sioux Falls Management Unit of the Big Sioux Aquifer.



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

NOV 01 2006

date

