

WATER PERMIT NO. 6524-3

Name of Applicant: **Freeman Jr College and Freeman Academy**

Address: **PO Box 1000, Freeman SD 57029**

Phone: **605 925-4237**

Amount of Water Claimed: **0.10**

Total Acres: **na**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **recreational, institutional**

County: **Hutchinson**

Type of Waste Disposal System:

Location: **southwest edge of Freeman**

PRIORITY

Date Received: **7-19-04**

Application/License Fee: **\$100**

Corrected Application Received:

Period of Annual Use: **January 1 – December 31**

Remarks: **help maintain pond water levels and use in the Interpretive Center of Prairie Arboretum**

Diversion Point: **SW ¼ SW ¼ Sec 35-T99N-R56W**

Land to be Irrigated: **NA**

Depth of Well: **300-feet**

Well Driller: :

Remarks:

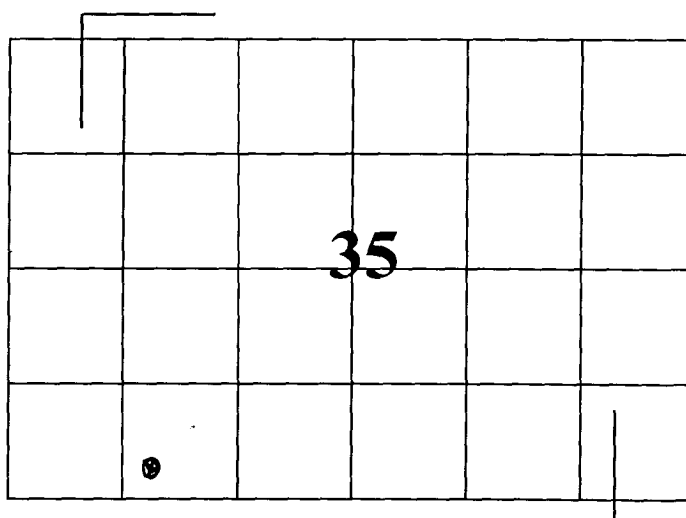
Type of Map: **aerial**

Prepared by: **James H Unruh, PE**

Reviewed and the Number Assigned on: **7-19-04**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



RECEIVED
JUL 19 2004
WATER RIGHTS
PROGRAM

Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

No. 6524-3 (office use only)
Hydrologic Unit 10160011
Basin James River
Newspaper Freeman Courier, Freeman

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 <u>Maintain pond water level</u> | |

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. _____
☐ 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 Freeman Junior College and Freeman Academy Phone (605) 925-4237
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 1000 Freeman State SD 57029
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.100 *CFS or **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, one well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Hutchinson
One well in SW 1/4 SW 1/4 section 35-T99N-R56W
- County or counties where water will be used Hutchinson
- 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)

We wish to use the well water to help maintain pond water levels and to water small flower and perennial plantings on the Prairie Arboretum grounds. The water would also have lavatory and janitorial uses in the Interpretive Center of the Prairie Arboretum as well as for drinking.

STATE OF SOUTH DAKOTA)

County of Hutchinson

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, Marlin Kaufman, 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 Marlin Kaufman

Subscribed and sworn to before me this 13th day of July 20 04

Notary Public signature

My commission expires: 09-19-2004

**SOUTH DAKOTA
WATER PERMIT NO. 6524-3**

Date of first receipt of application July 19, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6524-3 to Freeman Junior College and Freeman Academy, PO Box 1000, Freeman SD 57029 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. 6524-3 appropriates 0.10 cubic feet of water per second from one well to be completed into the Niobrara Aquifer (approximately 250 feet deep) located in the SW ¼ SW ¼ Section 35-T99N-R56W. The water will be used for watering plants, maintaining pond water levels and for institutional use on the Prairie Arboretum grounds. The ponds are in the SW ¼ SW ¼ Section 35, T99N, R56W and have a storage capacity of approximately 15 acre feet of water.
2. The water appropriated shall be used for the purpose of institutional 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. 6524-3 is October 18, 2004.
5. The date from which applicant may claim right is July 19, 2004.
6. One-fifth of the construction is to be completed on or before April 18, 2007.
7. All construction is to be completed on or before October 18, 2009.
8. Water is to be put to beneficial use on or before October 18, 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. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6524-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Water Permit No. 6524-3 authorizes ponds with a storage capacity of 15.0 acre feet of water. No pumping from the well into the ponds is authorized when water is discharging from the pond.

WATER MANAGEMENT BOARD

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

NOV 19 2004

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 10" Depth 250'
- b) Casing Type Plastic Diameter 5" Thickness 200LB.
- c) Screen Type None Diameter ----- Thickness -----
- d) Gravel Pack None Length of Gravel Pack -----
- e) Depth to Top of Water Bearing Material Approx. 180'
- f) Depth to Water (ground surface to water level) 90'
- g) Distance to nearest existing domestic well:
On applicants property ----- On property owned by others 1200'

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 Freeman Sanitary System

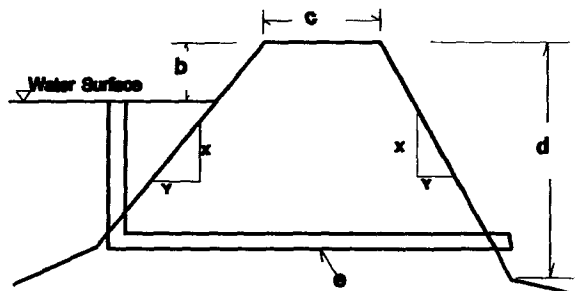
3. Dugout Information

- a) Surface Dimensions approx. 3 acres Depth 12'
- b) Depth to water (ground surface to water level) 18"

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

Subject: Practicality of drilling test hole.

We did not think it would be practical to drill a test hole because of the close proximity that our well will be to the city of Freeman's wells, which are capable of pumping large amounts of water and we think the quality of Freeman's water (when they were using their wells) would have been suitable for your proposed use now. Our well will be approximately $3/8$ mile due south of Freeman's wells.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date July 19, 2004, 20__

RECEIVED OF Freeman Academy, 748 South Main St Box 1000, Freeman SD 57029

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

Fee for Application for Permit No. <u>6524-3</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>6524-3</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	100.00

No.

By

Darlene Eibele

Chief Engineer

gm

Prairie Arboretum at Freeman Academy

Site Plan

SW 1/4 SW 1/4 Section 35-T99N-R56W



- LEGEND**
- WATER / SEWER LINES
 - NEW PATH
 - ELEVATED PATH
 - EXISTING PATH
 - SIGN
 - BENCH
 - LIGHT POLE
 - WELL
 - ARBORETUM BOUNDARY

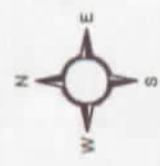
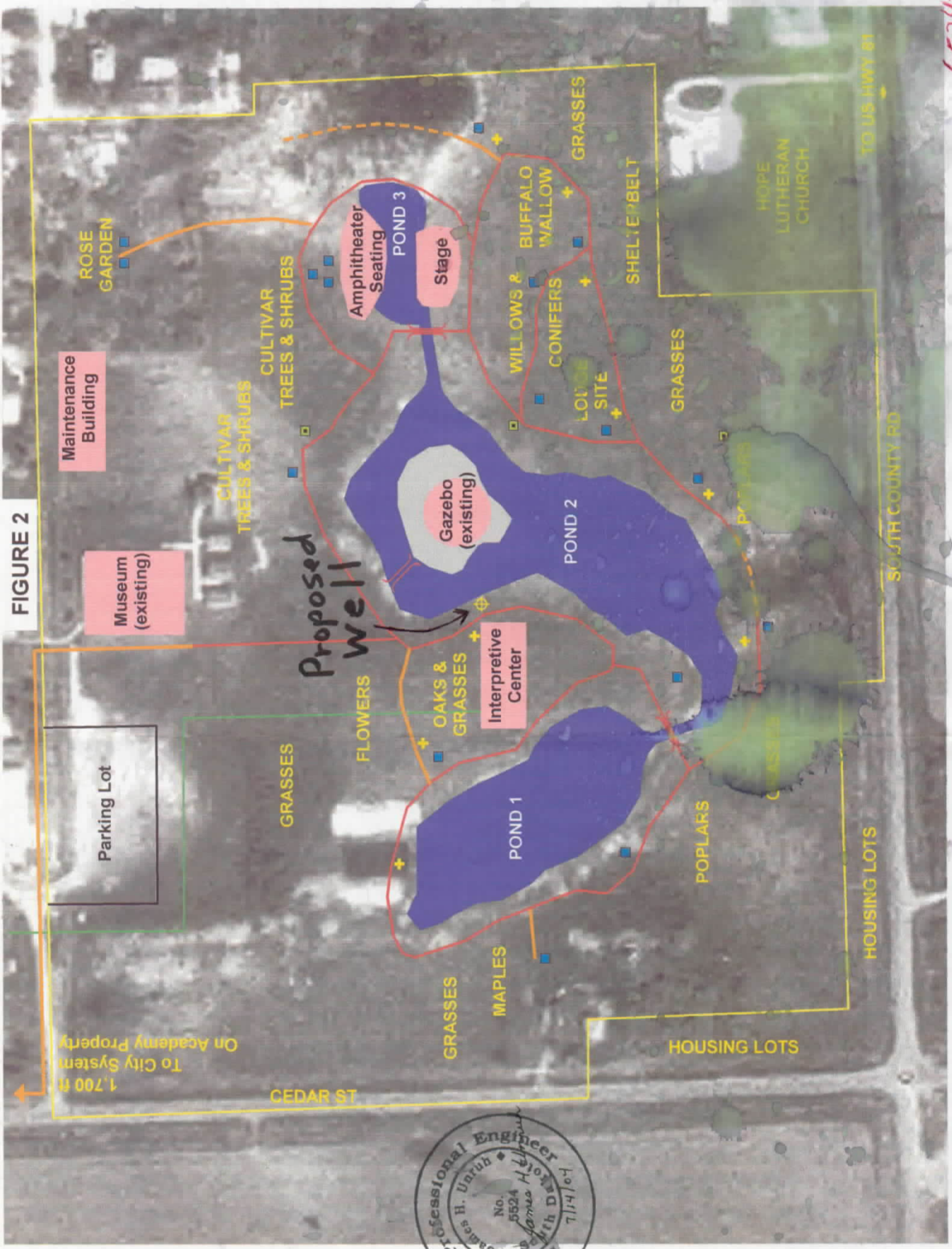


FIGURE 2



6524-3

REPORT ON WATER PERMIT APPLICATION NO. 6524-3
For Freeman Jr. College and Freeman Academy
August 26, 2004

Application No. 6524-3 proposes to appropriate 0.10 cfs (45 gpm) from one well approximately 250 feet deep located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 35, T99N R56W in Hutchinson County. The water will be used for watering plants, maintaining pond water levels and for institutional use on the Prairie Arboretum grounds. The ponds are in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 35, T99N R56W and have a storage capacity of approximately 15 acre-feet of water.

AQUIFER – NIOBRARA FORMATION (NBRR)

The Niobrara is composed of fractured, calcareous marl, interbedded with calcareous claystone and is commonly called the “chalkrock” by local drillers (Lindgren, 1990). The aquifer is buried and under artesian conditions in this area. This portion of the aquifer corresponds to “Area C” as mapped in the Hutchinson County Study (Lindgren, 1990). Ground water movement appears to be from southeast to northwest across the area of this application (Lindgren, 1990). No estimate is available for the amount of water in storage in the Niobrara Formation for Hutchinson County. Where the formation is fractured or solution cavities are well developed large amounts of water can be obtained from a well. According to a well log for the City of Freeman, this city well was capable of producing 200-210 gpm with a drawdown of 92 feet. A well for the golf course located about one mile to the south of this application was able to produce 150 gpm with about 60 feet of drawdown (the drawdown information is questionable). Both of these wells indicate that the aquifer is capable of providing the amount of water requested by this application.

The Water Right Program monitors two observation wells completed into the Niobrara Formation and within two miles of this application. Well HT-83F is located about one west of this application and TU-81A is located about two miles northeast of this application. Water levels for these wells show good response to pumping and to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. Also it is obvious when the City of Freeman began obtaining water from the rural water system in about 1996 and curtailed their well use. Ground water levels did not fluctuate annually in response to pumping and also began a general rise in response to wet years and lack of municipal withdrawals. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2004). Hydrographs for the two observation wells are included with this report.

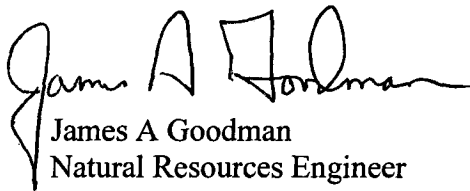
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are three water rights located within one mile of this application that also obtain water from the Niobrara Formation. The City of Freeman (Water Right No. 810-3, two wells, about 182 feet deep, 1.27cfs) located about one-half mile north of this application and Freeman Area Golf Course (Water Right No. 5764-3, 0.24 cfs, one well about 285

feet deep) located about one mile south and the City of Freeman (Water Right No. 5239-3, one well 300 feet deep, 0.33 cfs) and located about one mile north all from this application. The City of Freeman now obtains water from B-Y Rural Water System. Interference is not a concern. There are some domestic wells in the area but pumping at this rate should not be significant especially considering the amount of pumping which had previously been done for the City of Freeman.

CONCLUSIONS

1. Water is available from the Niobrara Formation.
2. The aquifer is confined and under artesian conditions. Drawdown will occur as a result of pumping. This is not expected to be significant. There is a history of pumping in this area and observation well data which confirms this appraisal.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. One of the uses of this water is to maintain pond levels. Generally, the use of ground water simply for evaporation (aesthetic) purposes to maintain a pond level is not a wise use of the resource. However, water is available and the Water Management Board has authorized water uses for these purposes in the past.



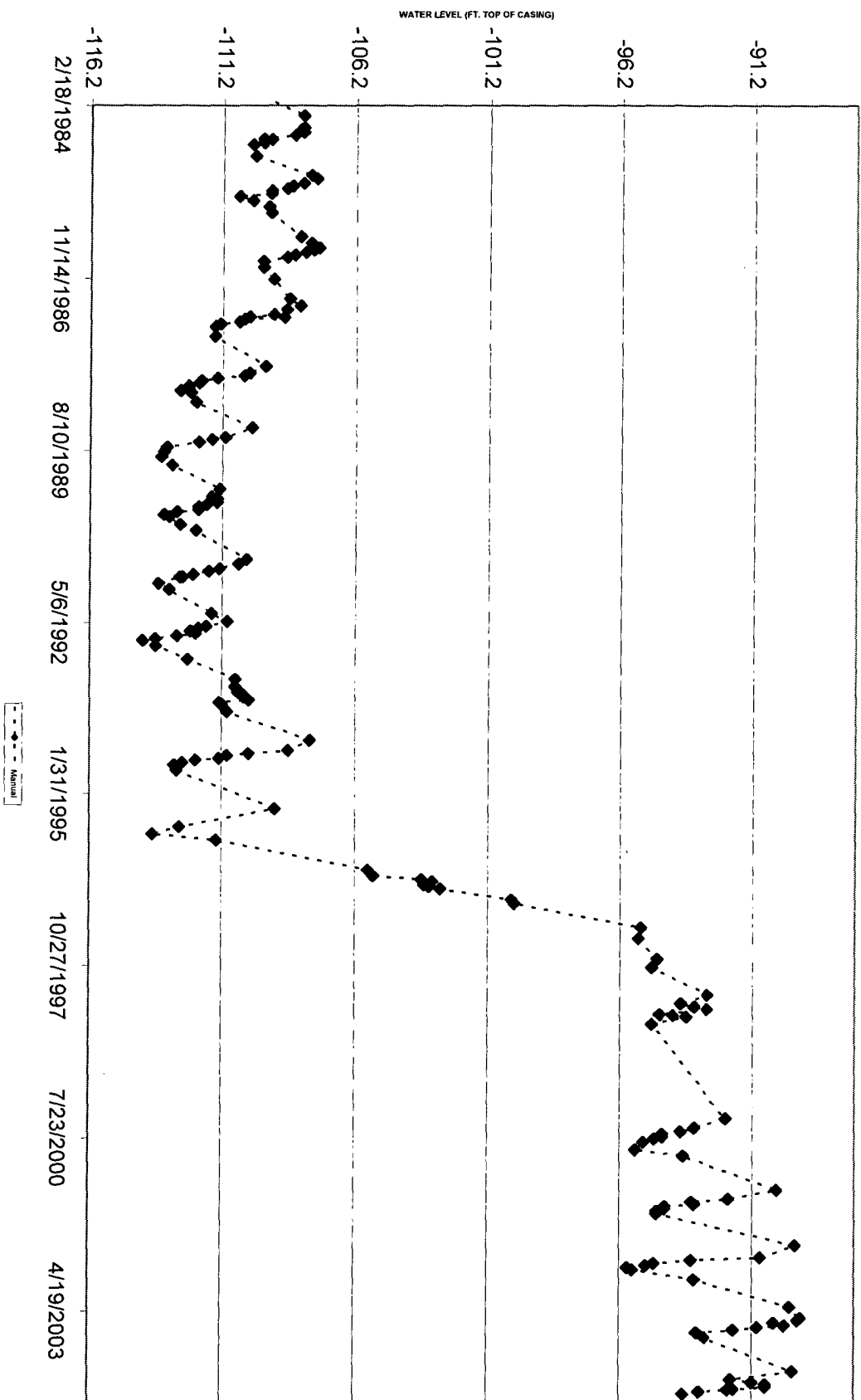
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

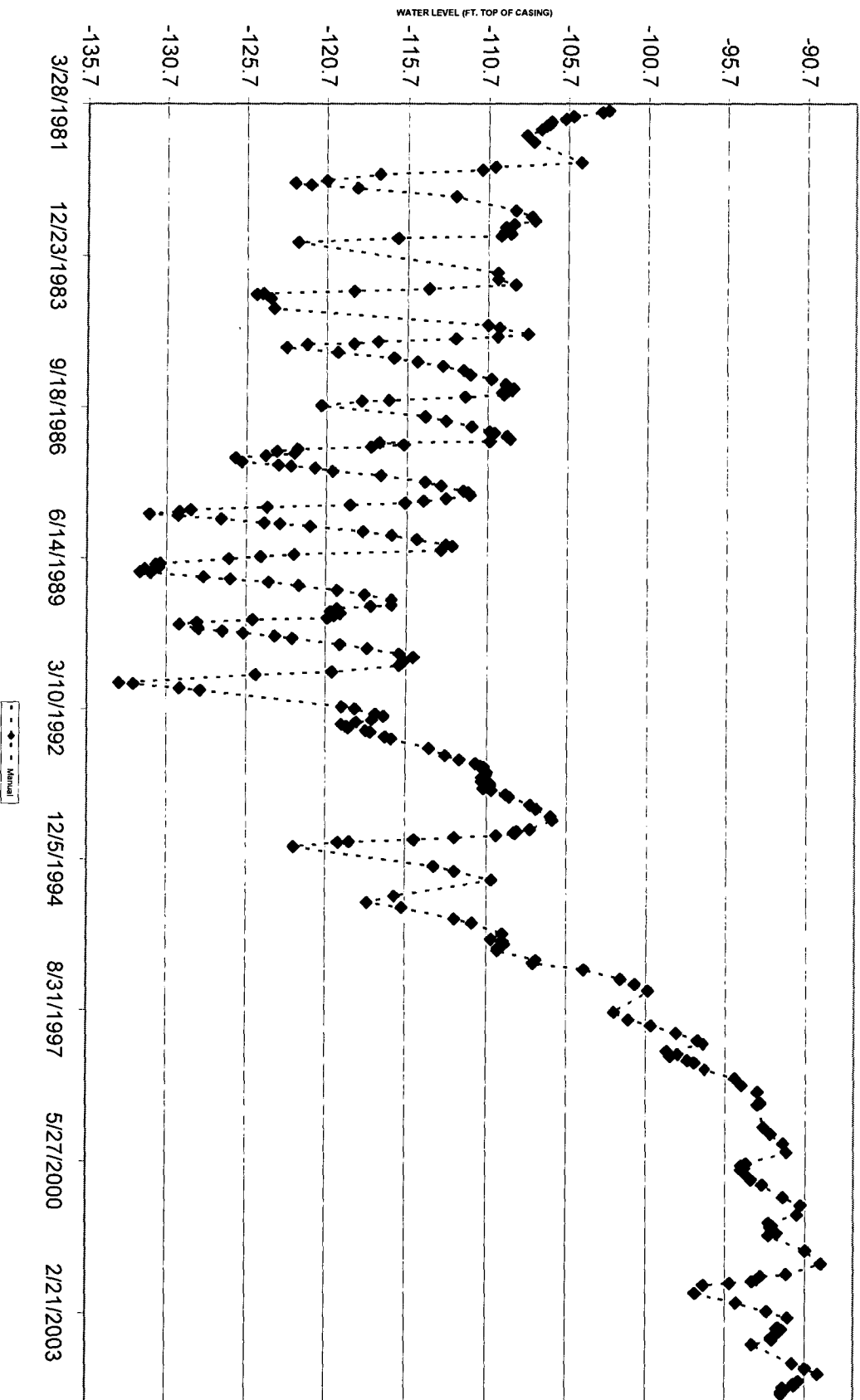
Lindgren, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota, Water-Resources Investigations Report 90-4093, USGS, Huron, SD, 57350.

Water Rights, 2004, Unpublished Observation Well Data for the Niobrara Formation, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL HT-83F



WATER RIGHTS' OBSERVATION WELL TU-81A





**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. 6524-3, Freeman Junior College and Freeman Academy**

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. 6524-3, Freeman Junior College and Freeman Academy, c/o Marlin Kaufman, PO Box 1000, Freeman SD 57029.

The Chief Engineer is recommending APPROVAL of Application No. 6524-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6524-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Water Permit No. 6524-3 authorizes ponds with a storage capacity of 15.0 acre feet of water. No pumping from the well into the ponds is authorized when water is discharging from the pond.

See report on application for additional information.

Garland Erbele, Chief Engineer
September 21, 2004

AFFIDAVIT OF PUBLICATION

County of Hutchinson)
) ss.
State of South Dakota)

Tim L. Waltner, of said county and state, being duly sworn, on his oath, deposes and says: That the Freeman Courier is a weekly newspaper of general circulation and a legal newspaper as required by law, printed and published in the town of Freeman in said county and state by Tim L. Waltner, and has been such newspaper during the time hereinafter mentioned: That I, Tim L. Waltner, the undersigned, am publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement headed **Appropriate Water**

a printed copy of which is hereto attached, was printed and published in the said newspaper for two successive issues to-wit:

The first publication on:
September 29, 2004

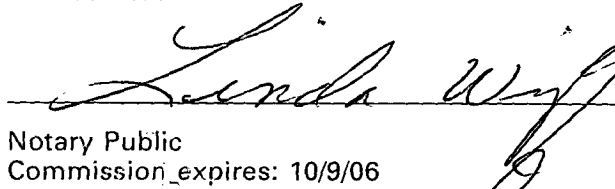
the second publication on:
October 6, 2004

and the third publication on:

That the full amount of the fees charged for publishing the same to-wit: The sum of **\$44.50** insures solely to the benefit of the publisher of the Freeman Courier, that no agreement or understanding for any division thereof has been made with any other person whomsoever, and the amount of **\$44.50** is the rate for publishing legal notices.



Subscribed and sworn to before me this 6th day of
October 2004.



Notary Public
Commission expires: 10/9/06

Publication fee: **\$44.50**
Notary fee:
Total: **\$44.50**

NOTICE OF APPLICATION NO. 6524-3 to Appropriate Water

Notice is given that Freeman Junior College and Freeman Academy, PO Box 1000, Freeman SD 57029 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second from one well to be completed into the Niobrara Aquifer (approximately 250 feet deep) located in the SW 1/4 SW 1/4 Section 35-T99N-R56W. The water will be used for watering plants, maintaining pond water levels and for institutional use on the Prairie Arboretum grounds. The ponds are in the SW 1/4 SW 1/4 Section 35, T99N, R56W and have a storage capacity of approximately 15 acre feet of water.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6524-3 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 October 18, 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.

2-27

WATER RIGHTS
PROGRAM



**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.

September 22, 2004

Freeman Jr. College & Freeman Academy
% Marlin Kaufman
PO Box 1000
Freeman SD 57029

Dear Mr. Kaufman:

Water Permit Application No. 6524-3 for recreational and institutional use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Freeman Courier printed at Freeman, SD (Ph # 605-925-7033). 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 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. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on September 29, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6524-3 to Appropriate Water

Notice is given that Freeman Junior College and Freeman Academy, PO Box 1000, Freeman SD 57029 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second from one well to be completed into the Niobrara Aquifer (approximately 250 feet deep) located in the SW ¼ SW ¼ Section 35-T99N-R56W. The water will be used for watering plants, maintaining pond water levels and for institutional use on the Prairie Arboretum grounds. The ponds are in the SW ¼ SW ¼ Section 35, T99N, R56W and have a storage capacity of approximately 15 acre feet of water.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6524-3 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 October 18, 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 22, 2004

Freeman Courier
PO Box 950
Freeman, SD 57029-0950

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6524-3 to Appropriate Water to be published twice. Please publish the first notice on September 29, 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 Freeman Junior College and Freeman Academy, % Marlin Kaufman, PO Box 1000, Freeman SD (Ph # 605-925-4237).

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. 6524-3

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

Date _____

We are in receipt of your letter of September 22, 2004 enclosing Notice to Appropriate Water by Application No. 6524-3 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

NOV 19 2004

Freeman Jr College & Freeman Academy
% Marlin Kaufman
PO Box 1000
Freeman SD 57029

Dear Mr. Kaufman:

Enclosed is Water Permit No. 6524-3 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 11-07-05

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

RECEIVED

NOV - 9 2005

WATER RIGHTS
PROGRAM

FROM:

Freeman College & Academy
(name)

P.O. Box 1000
(address)

Freeman SD 57029
(city, state, zip)

925-4237
(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. 6524-3 states that the water use system is to be constructed by

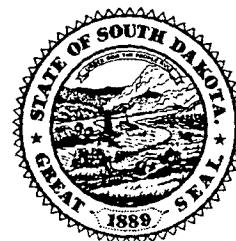
10-18-09, and water is to be put to beneficial use by 10-18-2013
(date) (date)

The water use system was completed on 8-20-2005
(date)

Applying the water to beneficial use was completed on 8-21-2005
(date)

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

Marlan Kaufman
(signature)



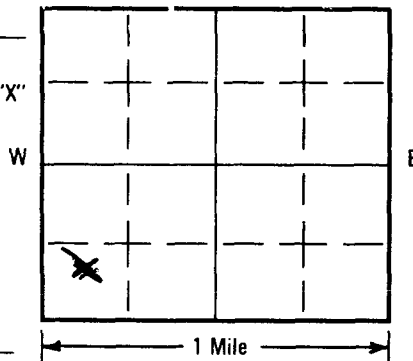
SOUTH DAKOTA WATER WELL COMPLETION REPORT

6524-3

07-92

Location SW 1/4 SW 1/4 Sec 35 Twp 99 Rg 56County HUTCHINSON

Please mark well location with an "X"



Well Completion Date

12-27-05

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) 500 ft. from Septic tank (identify source).

PROPOSED USE:

☒ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

ROTARYCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200#</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>185</u> FT	<u>10</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>BENTONITE</u>	<u>14</u>	_____ lb./gal	<u>0</u> ft.	<u>183</u> ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure TREMIC 1 lineSCREEN: ☐ Perforated pipe ☐ Manufactured NONE

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion? ☒ YES, How: Chlorinated

_____ YES, How: _____

Laboratory sent to for water quality analysis

_____ NO, Why Not? _____

Stite Health Lab.Well Owner: FREEMAN ACADEMYBusiness Name: FREEMAN ACADEMYAddress: 748 S. MAIN
FREEMAN, S.D. 57049

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>TOP SOIL</u>	<u>0</u>	<u>3</u>
<u>Yellow Clay</u>	<u>3</u>	<u>26</u>
<u>Blue Clay</u>	<u>26</u>	<u>74</u>
<u>SANDY Clay</u>	<u>74</u>	<u>90</u>
<u>Blue Clay</u>	<u>90</u>	<u>183</u>
<u>CHALK ROCK</u>	<u>183</u>	<u>246</u>

STATIC WATER LEVEL 90' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: _____☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

140 ft. After 72 Hrs. pumped 45 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

JAN 11 2006

This well was drilled under license # 515

WATER RIGHTS PROGRAM

And this report is true and accurate.

Drilling firm MARION WELL DRILLINGSignature of License Representative: [Signature]Signature of Well Owner or Equitable Property Holder: [Signature]Date: 12-27-05

Permit No. 6524-3
James 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, **30 July 2007**, made a thorough examination of the water use system constructed by **Freeman Jr. College** of **PO Box 1000, Freeman, SD. 57029** holder of Permit No. **6524-3**, bearing the priority of **19 July 2004** authorizing the diversion of **0.10** cu. ft. per second of the waters of **The Niobrara Formation (NBRR)** for **Institutional** purposes, in **Hutchinson** County.

Inspection contact & relationship
to permit holder, if applicable:

Marlin Kaufman
Freeman Jr. College
PO Box 1000
Freeman, SD. 57029

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Marion Well Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **246** feet
- 4) Well log is available **Y**
- 5) Comment:

Casing:

- 1) Diameter **5** inches
- 2) Length **185** feet
- 3) Type **Plastic**

Screen:

- 1) Type **None**
- 2) Length **NA** feet
- 3) Static water level **90** feet

Pump:

- 1) Make **Goulds**
- 2) Model **Unknown**
- 3) Size **Unknown**

4) Capacity 33 GPM

Motor:

1) Make Franklin

2) Model No. Unknown

3) Horsepower rating 3 hp

B. Compliance with Permit Requirements:

1) Permit qualifications being abided by Y

2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA

3) Exceptions to compliance are: None

The system is in good condition with the point of diversion located as follows: SW ¼ SW ¼ Sec 35-T99N-R56, 708 feet east and 756 feet north of the south-west corner of section 35, W -97.43757 Longitude and N 43.34474 Latitude. The works are capable of diverting and conveying to the place of use 0.07 cu. ft. per second of water and storing 15 acre-feet of water which is to be used for Institutional use. Water has been put to beneficial use to the maximum extent as follows:

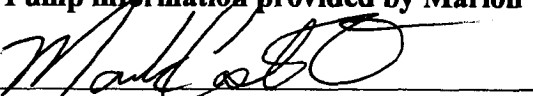
Water is being used to maintain pond water level.

The license should be issued for 0.07 cfs.

All structures, wells and lands on map Y

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

Pump information provided by Marion Well Drilling Inc.


Mark Costello

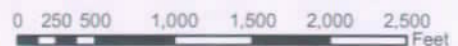
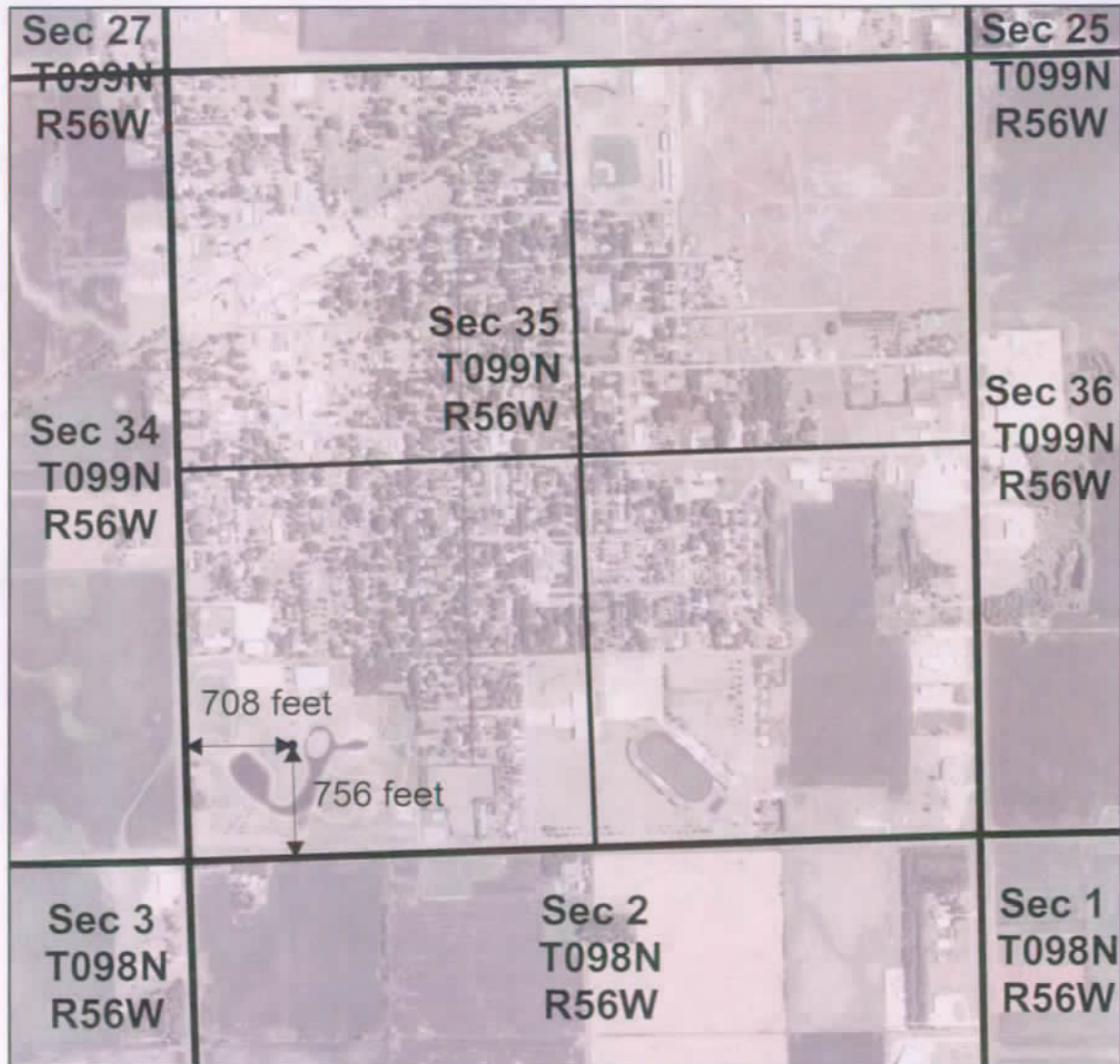
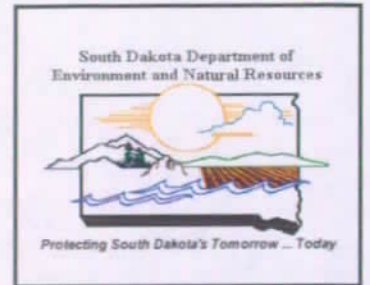
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 07 August 2007



Permit No.6524-3

Freeman Junior College
PO Box 1000
Freeman, SD. 57029



Mark Costello
Natural Resources Engineer
DENR, Water Rights Program
07 August 2007

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6524-3

(1) Freeman Jr College and Academy, PO Box 1000, Freeman SD 57029 made Application No. 6524-3, July 19, 2004 for a water permit to divert 0.10 cubic feet of water per second (45 gallons per minute) from ground water (one well – Niobrara Aquifer), Hutchinson County, South Dakota for institutional purposes. Permit No. 6524-3, with a priority date of July 19, 2004 was approved October 18, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 18, 2009 and for the application to beneficial use of water on or before October 18, 2013.

On November 9, 2005, the permit holder submitted a “*Notice of Completion of Works and Application of Water to Beneficial Use*”. The “*Notice*” indicated that the system was completed on August 20, 2005 and water placed to beneficial use on August 21, 2005.

(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, Freeman Jr College and Academy, PO Box 1000, Freeman SD 57029 the holder and/or owner of Water Right No. 6524-3 is issued a license, bearing a priority date of July 19, 2004 to appropriate 0.07 cubic feet of water per second (33 gallons per minute) from ground water (one well – Niobrara Aquifer) for institutional purposes. The water use includes watering plants, maintaining pond water levels and use on the Prairie Arboretum grounds.

The well is located in the SW ¼ SW ¼ - 708 feet east & 756 feet north of the SW corner of Section 35, T99N, R56W.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6524-3 including the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6524-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. (*Well log is on file*)
- Water Permit No. 6524-3 authorizes ponds with storage capacity of 15 acre feet of water. No pumping from the well into the ponds is authorized when water is discharging from the pond.

Garland Erbe

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

OCT 17 2007

date





OCT 1 7 2007

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

6524-3

Marlin Kaufman
Freeman Jr College and Academy
PO Box 1000
Freeman SD 57029

Dear Mr. Kaufman:

Enclosed is Water License No. 6524-3. This is the final water right document completing your process of obtaining a Water Right. Also included with the license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6524-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures