

WATER PERMIT NO. 6595-3

Name of Applicant: Clark RWS, Inc.

Address: Box 162, Clark SD 57225

Phone: 605 657-4310

Amount of Water Claimed: 0.56 cfs (404 AF)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: rural water system use

County: Codington

Type of Waste Disposal System:

Location: 6 miles north of Watertown

PRIORITY Date Received: 1-26-05

Application/License Fee: \$325

Corrected Application Received: 2-22-05

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW ¼ SE ¼ Sec 9-T118N-R52W

Land to be Irrigated: NA

Depth of Well: 29 feet

Well Driller: : Lacey Well Drilling

Remarks:

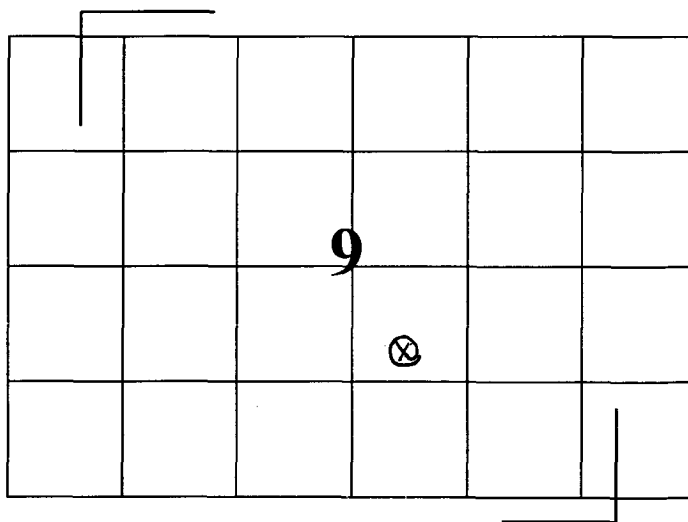
Type of Map: aerial

Prepared by: Jim Dylla, Clark Co NRCS

Reviewed and the Number Assigned on: 2-22-05

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6595-3</u> (office use only) Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>
	Newspaper <u>See list</u>

RECEIVED
JAN 26 2005
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

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

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

- Name of Applicant Clark Rural Water System, Inc. Phone (800) 657-4310
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address Box 162 Clark State SD 57225
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.56 *CFS or 250 **GPM 404 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Groundwater - Big Sioux Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Codington
1 Well in the NE1/4 SW 1/4 Section 9-T118N-R52W
NW1/4 SE 1/4
- County or counties where water will be used Codington, Clark, Day, Hamlin & Grant
- Annual period during which water is to be used Continuous 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)

Completion of one well to supplement water supply for the area bounded by City of Florence to the Interstate 29 and Watertown north to Grant County. Planned treatment would be located 2.3 miles west of well site at the existing Reservoir/Pump Station currently in operation.

STATE OF SOUTH DAKOTA)
County of Clark) 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, Duane C. Stokes, 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 Duane C Stokes

Subscribed and sworn to before me this 25th day of January 20 05

[Signature]
Notary Public signature

My commission expires
11-28-2009

**SOUTH DAKOTA
WATER PERMIT NO. 6595-3**

Date of first receipt of application January 26, 2005.

Date of return to applicant for corrections, amendments or changes January 27, 2005.

Date of receipt of corrected application February 22, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6595-3 to Clark Rural Water System, Inc., c/o Duane Stokes, Box 162, Clark SD 57225 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. 6595-3 appropriates 0.56 cubic feet of water per second (404 acre-feet annually) from one well to be completed into the Big Sioux:North Aquifer (29 feet deep) located in the NW ¼ SE ¼ Section 9-T118N-R52W. This location is within the former boundaries of the Sisseton-Wahpeton Indian Reservation.
2. The water appropriated shall be used for the purpose of rural water system use in Codington, Clark, Day, Hamlin and Grant Counties 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. 6595-3 is June 9, 2005.
5. The date from which applicant may claim right is January 26, 2005.
6. One-fifth of the construction is to be completed on or before December 9, 2007.
7. All construction is to be completed on or before June 9, 2010.
8. Water is to be put to beneficial use on or before June 9, 2014.
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. 6595-3 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. Clark Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux:North Aquifer.

WATER MANAGEMENT BOARD

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

JUN 20 2005

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 20 inch Depth 29 feet
- b) Casing Type Steel Diameter 12 inch Thickness 60 LBS/FT
- c) Screen Type Stainless Steel Diameter 12 inch Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) 10.5 FEET
- g) Distance to nearest existing domestic well:
On applicants property N/A On property owned by others 1300
2500 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

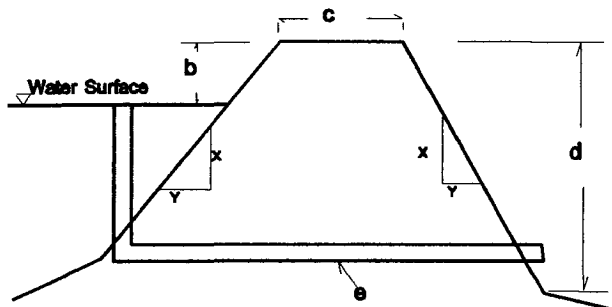
3. Dugout Information

- 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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 22, 20 05

RECEIVED OF Clerk rural Water System, Box 162, Clerk SD 55225

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

Fee for Application for Permit No. <u>6595-3</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. _____		
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	50.00

No.

00177

By

Garland E. Kele

Chief Engineer

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 26, 20 05

RECEIVED OF Clark Rural Water Systems INC., Box 162, Clark SD 57225

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

Fee for Application for Permit No. <u>6595-3</u> to Appropriate Water, to construct and to put water to beneficial use	225	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>6595-3</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	275.00

No.

000005

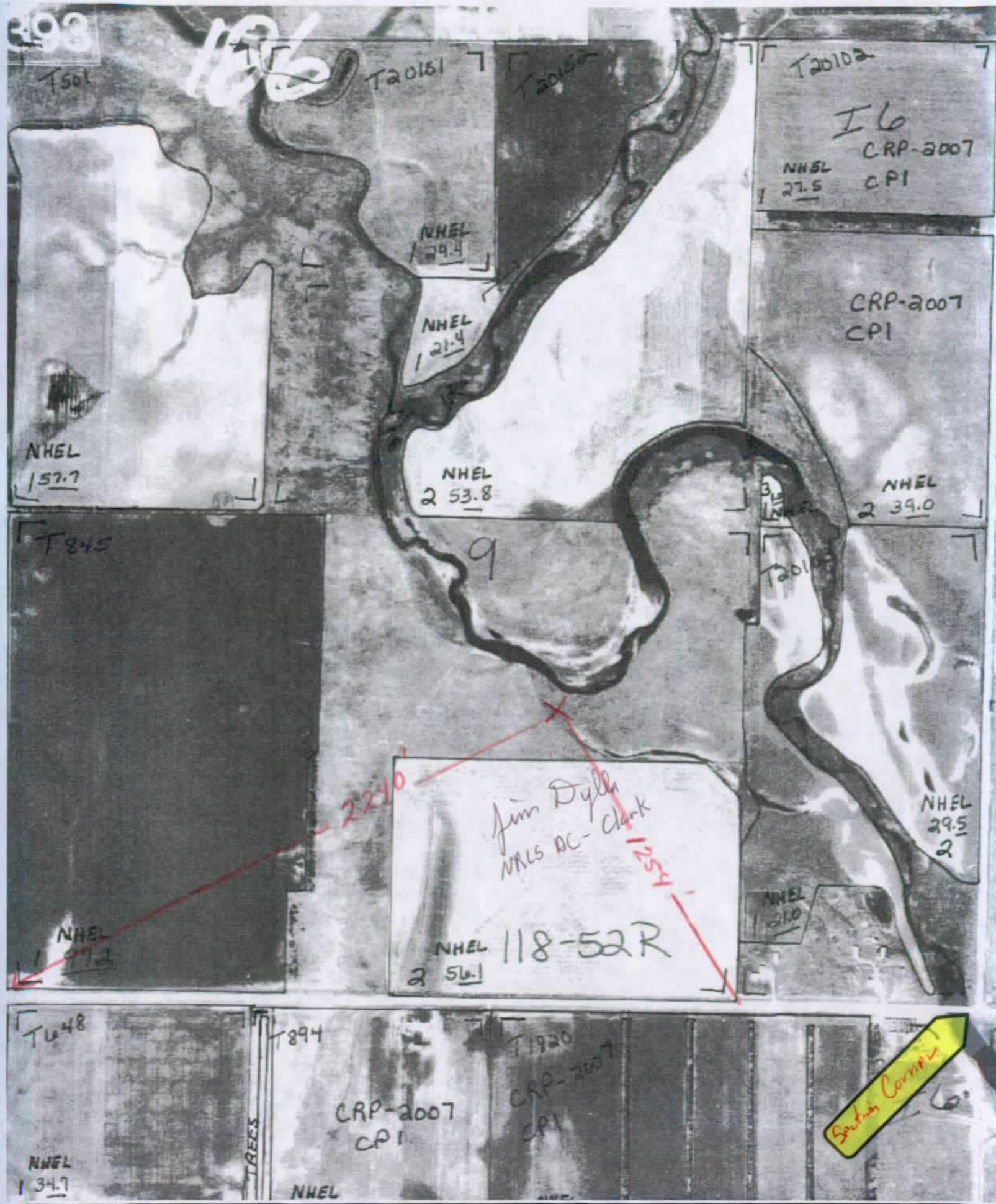
By

Darland Erbe

Chief Engineer

gm

MAAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



Clark Rural Water System, Inc.
Box 162
Clark, SD 57201
September 13, 2004

Mr. Garland Erbele, Chief Engineer

Water Rights Program
Dept. of Environment and Natural Resources
Joe Foss Building
523 Capital Ave.
Pierre, SD 57501-5559

Re: Test Well

Dear Mr. Erbele,

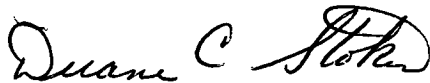
The Clark Rural Water System, Inc. is requesting permission to drill a test well prior to approval of permit, pursuant to Well Standard 74:02:04:21.

The purpose of this test well is for aquifer / production testing in the SW ¼ of Section 9, Township 118N, Range 52 W.

Clark Rural Water System, Inc. will be applying for a permit to appropriate water providing the results of the testing are favorable.

Thank you for your attention in this matter.

Respectfully,



Duane C. Stokes

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SEP 14 2004
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

September 14, 2004

Duanne C. Stokes
Clark Rural Water System, Inc.
Box 162
Clark, SD 57201

Dear Mr. Stokes:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, Clark Rural Water System, Inc., is authorized to construct a test well prior to approval of a water permit. The test well is to be located in the SW¼ Section 9, T118N-R52W. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

A SD Water Permit must be obtained before water from this well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Very truly yours,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 5, 2005

Duane Stokes
Clark Rural Water System
Box 162
Clark SD 57225

Dear Mr. Stokes:

I am writing in regard to a well driller's report filed by Lacey Well Drilling. The report shows a new well was completed for the rural water system on September 29, 2004. The report indicates the new well is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9-T118N-R52W. I have reviewed our files and cannot find a water permit for this well location.

Please let us know the status of this well. If necessary, enclosed are application forms and instruction sheet to apply for a water permit. The completed forms with the application fee and map can be returned to: Water Rights Program, 523 E. Capitol, Pierre, SD 57501.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
karen.schlaak@state.sd.us

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 2005

Clark Rural Water System, Inc.
Duane Stokes
Box 162
Clark SD 57225

Dear Mr. Stokes:

Thank you for submitting the *Application for a Permit to Appropriate Water* to appropriate 150 gallons per minute from a new well. Permits for rural water system use are also quantified on an acre-feet basis. A general rule of 60% of the pumping rate is used when converting a pump rate to acre-feet. The 150 gallons per minute (0.33 cubic feet of water per second) which is requested on the application, equates to 242 acre-feet of water annually. Sixty percent of 242 acre-feet would be approximately 145 acre-feet. Do you concur with this change on the application?

The application states the well is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9-T118N-R52W. From the aerial photo map submitted with the application, the location of the well appears to be in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 9-T118N-R52W. Which is correct? The reference point for the SE corner appears to us to be incorrect (see map). We believe the SE corner is the point marked in blue on the map.

If you have any questions, please contact Eric Gronlund or me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure

February 18, 2005

RECEIVED

FEB 22 2005

WATER RIGHTS
PROGRAM

Karen Schlaak
Water Rights Program
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3182

Dear Karen:

Submitting the additional \$50.00 for the adjustment on our recent application.

Thanks for getting me straightened out on this one.

Duane Stokes
Clark Rural Water System, Inc.

Schlaak, Karen

From: Duane Stokes [crws@itctel.com]
Sent: Friday, February 18, 2005 6:50 AM
To: Karen.Schlaak@state.sd.us
Subject: Re: Permit Application

Karen,

That would change the diversion rate to 250 gallons per minute.

Thanks,
Duane

----- Original Message -----

From: Karen.Schlaak@state.sd.us
To: crws@itctel.com
Sent: Wednesday, February 16, 2005 2:42 PM
Subject: RE: Permit Application

I will make those changes on the application based on your e-mail.

The application filing fee for 404 acre-feet annually will be \$325. You originally submitted \$275. Please submit an additional \$50. Also I am assuming since you are increasing the acre-feet, the diversion rate in gallons per minute will also be increasing. The application states 150 gpm. What will the diversion rate be?

If you have questions, let Eric or me know.

Karen

-----Original Message-----

From: Duane Stokes [mailto:crws@itctel.com]
Sent: Wednesday, February 16, 2005 10:31 AM
To: Karen Schlaak
Subject: Permit Application

Dear Karen,

In reference to your letter January 27th.

The correction to the location is accurate. NW1/4 SE1/4 Sec.9-T118N-R52W.

Can we change the request to 404 acre feet annually? This would allow the withdrawal to meet the anticipated needs for this facility.

Can these changes be made through discussion or will a new application be required?

Please advise and thanks for the help,

Duane Stokes
Clark Rural Water System, Inc.

REPORT ON WATER PERMIT APPLICATION NO. 6595-3
For Clark Rural Water System, Inc.
April 18, 2005

Application No. 6595-3 proposes to appropriate 0.56 cfs (250 gpm and 404 acre-feet annually) from one well approximately 29 feet deep located in the NW ¼ SE ¼ of section 9, T118N R52W. This location is within the former boundaries of the Sisseton-Wahpeton Indian Reservation. The water is for rural water system use in Codington, Clark, Day, Hamlin and Grant Counties.

AQUIFER – BIG SIOUX NORTH (BS-N)

The Big Sioux North is a surficial outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 150 square miles and contains an estimated 350,000 acre-feet of water in storage in Codington and Grant Counties (Hansen, 1990). Recharge to the aquifer has been estimated at 5.53 inches per year (Putnam, 1996). Ground water movement is from north to south and locally toward the Big Sioux River (Hanson, 1990). The aquifer is also hydraulically connected to the Big Sioux River which can either be a recharge or discharge boundary for the aquifer.

The well log filed with the application indicates gravel from one to 29.3 feet below land surface. The completed well had a static water of 10.5 feet below land surface and is completed in accordance with SD Well Construction Standards.

The Water Rights Program monitors an observation well CD-60A located about two miles north (upstream) of this application and completed into the Big Sioux North aquifer. Water levels for this observation well show good response to climatic conditions, that is, rising water levels during wet years or precipitation events (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2005). A hydrograph for observation well CD-60A is included with this report.

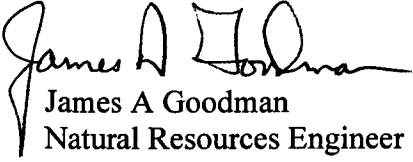
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing Water Right No. 2120-3 located within one mile to the south of this application. One of the irrigation wells (#3) for this right is located about 4,000 feet southeast of the proposed well. Interference is not a concern. At this distance between wells and at this pumping rate drawdown would not be significant.

CONCLUSIONS

1. Water is available from the Big Sioux North aquifer.
2. The aquifer is under water table conditions in this area. Drawdown created by pumping at this rate should not be significant concern. Interference is not a concern.

3. This well has been constructed in accordance with SD Well Construction Standards.
4. There is a potential for flooding at this site and the applicant should be prepared for that potential problem.


James A Goodman
Natural Resources Engineer

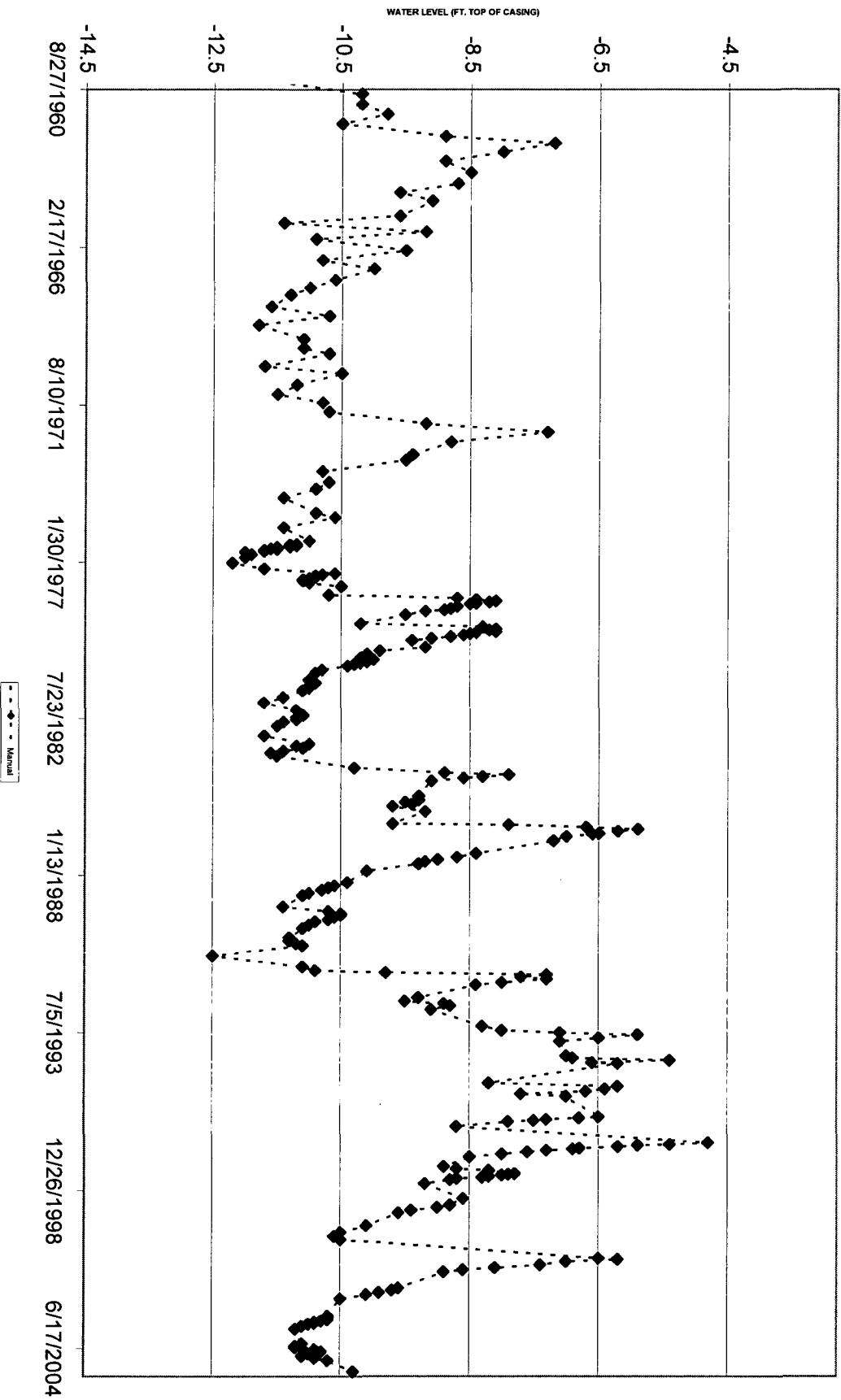
BIBLIOGRAPHY

Hansen, D.S., 1990, Water Resources of Codington and Grant Counties, South Dakota, Water-Resources Investigations Report 89-4147, USGS, Huron, SD, 57350.

Putnam, L.D., R.C. Thompson, 1996, Appraisal of the Water Resources of the Big Sioux Aquifer, Codington and Grant Counties, South Dakota, Water-Resources Investigations Report 96-4275, USGS, Rapid City, SD, 57702.

Water Rights, 2005, Unpublished Observation Well Records for Codington County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL CD-60A





**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. 6595-3, Clark Rural Water System, Inc.**

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. 6595-3, Clark Rural Water System, Inc., c/o Duane C. Stokes, Box 162, Clark SD 57225.

The Chief Engineer is recommending APPROVAL of Application No. 6595-3 because 1) there is a reasonable probability that there is unappropriated water available, 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. 6595-3 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. Clark Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux:NorthAquifer.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 11, 2005

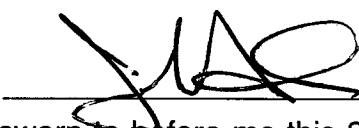
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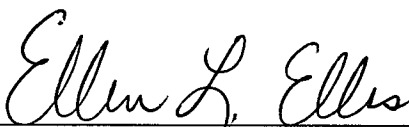
County of Day
State of South Dakota, } ss.

John Suhr, of said county and state being duly sworn on oath, says: That the Reporter & Farmer is a legal weekly newspaper of general circulation, and an official newspaper as required by Session Laws of 1893, printed and published in Webster, in said county and state, by the Day County Printing Company and has been such newspaper during the time hereinafter mentioned, that I, John Suhr, the undersigned, am publisher of said newspaper, and have personal knowledge of all facts stated in this affidavit and that the advertisement headed, Notice of Application-Clark Rural Water, DENR, a printed copy of which is hereunto attached, was printed and published in the said newspaper two successive and complete issues as follows:

First Publication	May 23, 2005;
Second Publication	May 30, 2005;
Third Publication	;
Fourth Publication	;
Fifth Publication	;

That the full amount of fees for publication of the annexed notice is \$46.08 and inures solely to the Reporter & Farmer, published by The Day County Printing Company, that no arrangement or understanding for a division thereof has been made with any other person, and that no part thereof has been agreed to be paid any person whomsoever.


Subscribed and sworn to before me this 30th day of May, 2005.


Notary Public, Day County, South Dakota

Notice of a

(First May 23)

NOTICE OF APPLICATION

NO. 6595-3 to Appropriate Water

Notice is given that Clark Rural Water System Inc., c/o Duane C. Stokes, Box 162, Clark, SD 57225 has filed an application for a water permit to appropriate 0.56 cubic feet of water per second (404 acre-feet annually) from one well to be completed into the Big Sioux North Aquifer (29 feet deep) located in the NW1/4SE1/4, Section 9-T118N-R52W. This location is within the former boundaries of the Sisseton-Wahpeton Indian Reservation. The water is for rural water system use in Codington, Clark, Day, Hamlin and Grant counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6595-3 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 June 9, 2005.

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
(Last May 30)

Ellen L. Ellis
Day County, South Dakota
My Commission Expires April 14, 2011

NOTICE OF APPLICATION

NO. 6595-3 to

Appropriate Water

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Steven M. Pirner
Secretary
Dept. of Environment and
Natural Resources
5-18-2t

Affidavit of Publication

State of South Dakota

§

County of Clark

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of a least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

NOTICE OF APPLICATION TO APPROPRIATE WATER

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

(two)

successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

May 18, 2005

May 25, 2005

that the full amount of the fees for the publication of the annexed notice is

\$39.91

William J. Krikac

Subscribed and sworn to before me this

3rd day of June, 2005

Kimberly L. Seefeldt

Notary Public

Clark County, South Dakota

My commission expires: 10-02-07

RECEIVED
JUN - 8 2005
WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of CODINGTON) SS

I, MONICA K. SAATHOFF

certify that the attached printed Notice was
 taken

from the WATERTOWN PUBLIC OPINION

printed and published in WATERTOWN

County of CODINGTON and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

MAY 19th, 2005

MAY 26th, 2005

Cost of Printing 95.90

Monica K. Saathoff
 (Signature)

BOOKKEEPER

(Title)

MAY 26th, 2005

(Date Signed)

RECEIVED
 MAY 31 2005
 WATER RIGHTS
 PROGRAM

DENR**NOTICE OF APPLICATION
 NO. 6595-3 to Appropriate
 Water**

Notice is given that Clark Rural Water System Inc., c/o Duane C Stokes, Box 162, Clark SD 57225 has filed an application for a water permit to appropriate 0.56 cubic feet of water per second (404 acre-feet annually) from one well to be completed into the Big Sioux-North Aquifer (29 feet deep) located in the NW 1/4 SE 1/4 Section 9-T118N-R52W. This location is within the former boundaries of the Sisseton-Wahpeton Indian Reservation. The water is for rural water system use in Codington, Clark, Day, Hamlin and Grant Counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6595-3 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 June 9, 2005.

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.

(May 19, 26, 2005)

95.90

Printer's Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF GRANT

} ss.

Holli Seehafer

of said County and State, being first duly sworn, on oath says that the Grant County Review is a legal weekly newspaper of general circulation, printed and published in Milbank, in said County of Grant and State of South Dakota, by Phyllis Justice, and has been such newspaper during the times hereinafter mentioned; that said newspaper is a legal newspaper; and that it has a bona fide circulation of more than two hundred copies weekly, and has been published within said County of Grant in the English language and has been admitted to the United States mail under second class mailing privilege, for at least one year next prior to the publication of the Notice herein mentioned, and has been printed wholly in an office maintained at the said place of publication, that I, the undersigned, Advertising Manager of said newspaper, in charge of the advertising department thereof, have personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice of

application No. 6595-3 to appropriate
water

a printed copy of

which, taken from the paper in which the same was published, is attached to this sheet and is made a part of this Affidavit, was published in said newspaper at least once each week for two successive weeks, on the day of each week on which the said newspaper was regularly published, to-wit:

<u>May 18</u>	<u>2005</u>	<u>20</u>
<u>May 25</u>	<u>2005</u>	<u>20</u>
<u>20</u>		<u>20</u>

That \$ 42.26, being the full amount of the fee charged for the publication of said Notice, inures to the benefit of the publisher of the Grant County Review; that no agreement or understanding for the division thereof has been made with any person, and that no part has been agreed to be paid to any person whomsoever.

Holli Seehafer

Subscribed and sworn to before me 25th this day of May 20 05

Debra L. Hemmer

Notary Public, Grant County, South Dakota

DEBRA HEMMER
Notary Public, GRANT COUNTY, S. DAK.
My Commission Expires OCT 27, 2009

RECEIVED

MAY 31 2005

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION

NO. 6595-3 to

Appropriate Water

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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'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.

May 18

May 25

Publication Fee \$ 42.26
Notarial Fee \$
Total \$ 42.26

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SS

I, LeeAnne Archer

certify that the attached printed Notice was taken

from the Hamlin County

Herald Enterprise

printed and published in Hayti

County of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

May 18, 2005

May 25, 2005

Cost of Printing \$ 41.37

LeeAnne Archer
(Signature)

Published
(Title)

5/26/2005
(Date Signed)

RECEIVED

MAY 27 2005

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION
NO. 6595-3 TO
APPROPRIATE WATER

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Steven M. Pirner, Secretary
Department of Environment
and Natural Resources

Instruction to Newspaper - Publish first Notice on May 19, 2005 with the second publication 7 days later. The applicant is responsible for payment.

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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 12, 2005

Public Opinion
PO Box 10
Watertown SD 57201-0010

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6595-3 to Appropriate Water to be published twice. Please publish the first notice on May 19, 2005 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 Clark Rural Water System Inc., % Duane C Stokes, Box 162, Clark SD (Ph # 800-657-4310).

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. 6595-3

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

Date _____

We are in receipt of your letter of May 12, 2005 enclosing Notice to Appropriate Water by Application No. 6595-3 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 12, 2005

Clark Co Courier
119 1st Ave E
Clark SD 57225

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605 773-3352

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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 12, 2005

Reporter & Farmer
PO Box 30
Webster SD 57274-0030

ATTENTION: Legal Public Notice

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enclosures

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Pierre SD 57501-3181

Date _____

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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 12, 2005

Hamlin Co. Herald Enterprise
PO Box 207
Hayti SD 57241-0207

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enclosures

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Pierre SD 57501-3181

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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 12, 2005

Grant Co Review
PO Box 390
Milbank SD 57252-0390

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Natural Resources Engineer
605 773-3352

enclosures

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Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

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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

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPERS RIGHT AWAY.**

May 12, 2005

Clark Rural Water Systems Inc.
% Duane C Stokes
Box 162
Clark SD 57225

Dear Mr. Stokes:

Water Permit Application No. 6595-3 for rural water use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publishers of the Public Opinion printed at Watertown, SD (Ph # 605-886-6901), Clark Co. Courier printed at Clark, SD (Ph #605-532-3654), the Reporter & Farmer printed at Webster, SD (Ph#605-345-3356), the Hamlin Co. Herald Enterprise printed at Hayti, SD (Ph #605-783-3636, and the Grant Co. Review printed at Milbank, SD (Ph #(605-432-4516). 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 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.



JUN 20 2005

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Clark Rural Water System Inc
% Duane Stokes
Box 162
Clark SD 57225

Dear Mr. Stokes:

Enclosed is Water Permit No. 6595-3 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

6595-3
07-92

Date: 11-22-05

Approval of an Change of Diversion Point & Additional Diversion Point

NAME: Clark Rural Water System, Inc.

ADDRESS: Box 162, Clark SD 57225

DATE: February 24, 2006

COUNTY: Codington

TELEPHONE: 532-5201

BACKGROUND:

Clark Rural Water System holds Water Permit No. 6595-3 appropriating 0.56 cfs (404 acre feet annually) from one well completed into the Big Sioux:North Aquifer located in the NW ¼ SE ¼ Section 9, T118N, R52W. The water is used to supply a rural water system serving citizens in Codington, Clark, Day, Hamlin and Grant Counties. The Permit was obtained in 2005 with works to be completed by June 9, 2010. Clark Rural Water System has filed a request for an additional well for standby purposes and to change the location of the well authorized by Water Permit No. 6595-3. This request is made pursuant to SDCL 46-5-13.1 to authorize the change in location and the additional well.

The additional well will be a standby well located in the NE ¼ SW ¼ Section 9, T118N, R52W.

The change in the location of the originally authorized well is intended to correct it location. The original application stated the well would be located in the NE ¼ SW ¼ of Section 9, however, the submitted map showed the well located in the NW ¼ SE ¼ of Section 9. The application was changed to reflect the location represented on the map. However, the well was drilled in the NE ¼ SW ¼ of Section 9.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The well authorized under Water Permit No. 6595-3 is constructed into the Big Sioux:North Aquifer. The additional well is also constructed into this aquifer. Well completion reports are on file for both wells. The wells are 28' and 29' 4" deep.

No additional appropriation of water is being requested. The original water permit appropriates 0.56 cfs (250 gpm). Mr. Stokes with Clark RWS states that the additional well is for standby purposes. Although the combined diversion authority may exceed 0.56 cfs, the wells will not be operated at the same time.

- **Review of Existing Diversions**

A review was conducted of existing water rights and domestic wells. There are two water rights that appropriate water from the Big Sioux:North Aquifer located south of Clark RWS's well field. CSS Farms holds a irrigation water right and Northern Con-Agg is an industrial user in Section 16. A review of well completion records in the Water Right database found 8 domestic/stock wells and 2 geothermal wells constructed into the Big Sioux:North Aquifer owned by others in neighboring sections. This review reflects only those well completion reports on file with the Water Rights Program.

CONCLUSION

- The additional well does not appropriate additional water.
- The change in the location of the originally authorized well is to reflect the actual location where the well is drilled.
- The additional well is constructed into the Big Sioux:North Aquifer which is the same water source as the existing well authorized by Water Permit No. 6595-3.
- The additional well is a standby well to be used when the original well is not in use.
- Existing domestic wells will not be adversely impacted by authorizing this additional well.
- There have been no complaints regarding Clark RWS's development at this site.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the additional diversion point and change of well location be authorized by Water Permit No. 6595-3.



Eric Gronlund
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This additional diversion point and change of well location does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program

FORM 2: Application for uses other than irrigation
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. _____	(office use only) Hydrologic Unit _____
	Basin _____	
	Newspaper _____	

RECEIVED
FEB 08 2006
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

Type of Application: ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 6595-3

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) Completion of an additional well to be used for standby purposes and correction of the legal description for the point of diversion

1. Name of Applicant Clark Rural Water System, Inc. Phone 605-532-5201
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address Box 162 Clark, SD 57225 State 57225
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed _____ *CFS or _____ **GPM _____ ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Big Sioux Aquifer

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) change to Ne 1/4 S W1/4
Section 9 - T118N - R52W
County Codington

5. County or counties where water will be used Codington

6. Annual period during which water is to be used continuous

7. 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 Info: N45d00'39.13" W97d10'31.44"
N45d00'37.60" W97d10'29.78"

STATE OF SOUTH DAKOTA)
County of Clark 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, Duane C. Stokes, 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 Duane C. Stokes

Subscribed and sworn to before me this 6th day of Feb. 20 06

My commission expires
11-28-2009

Notary Public signature

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 20 inch Depth 28'
- b) Casing Type Steel Diameter 12 inch Thickness 50lb/ft
- c) Screen Type Stainless Steel Diameter 12 inch Thickness
- d) Gravel Pack No Length of Gravel Pack
- e) Depth to Top of Water Bearing Material 8'
- f) Depth to Water (ground surface to water level) 11.5'
- g) Distance to nearest existing domestic well:
- On applicants property On property owned by others 4000'

2. Wastewater Disposal System Information

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

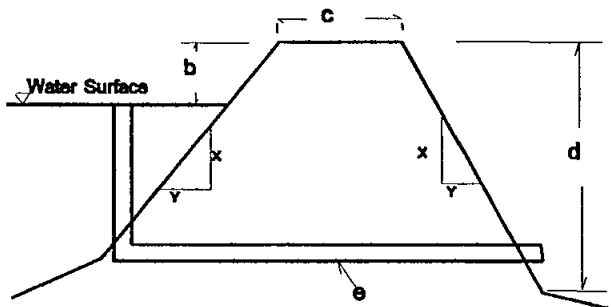
3. Dugout Information

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

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard
- c) Crest Width
Crest Length
- d) Height
- e) Primary Outlet Capacity
If pipe, diameter
- f) Secondary Spillway Capacity
Spillway Width
- g) X & Y Slope
Upstream
Downstream
- h) Surface Area of Impoundment
- i) Storage Acre Feet
- j) Drainage Area Above Dam Acres

07-92

Date: 2/6/06

T. PICKETT

BASE - SE COR.
SLV - 52' S. & RD.
78' W. & DR.

Wick
+

611-52-811

- 70.5.9

- 65.5.9

- 64.5.9

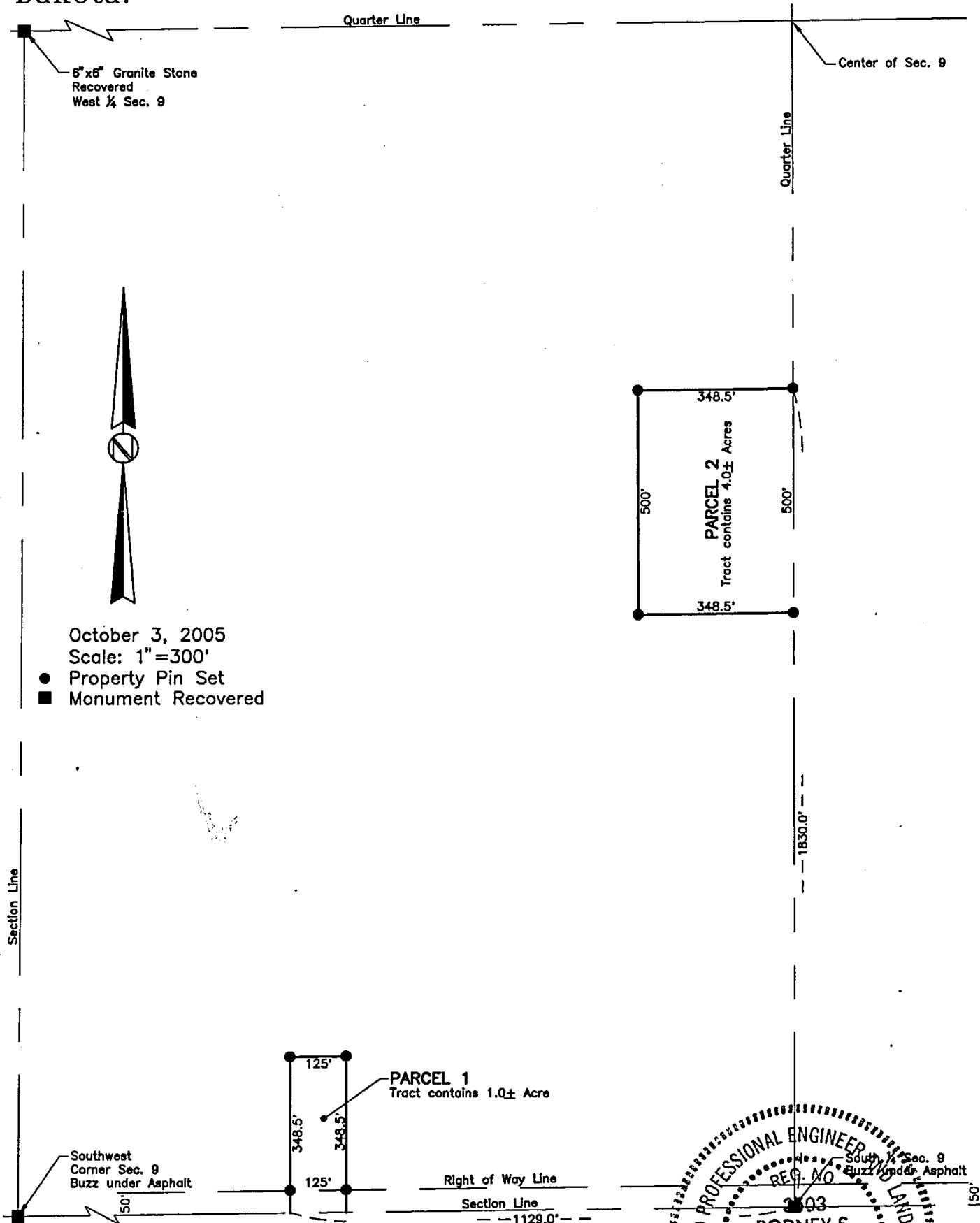
- 42.5.9

- 38.5.9

Survey Of

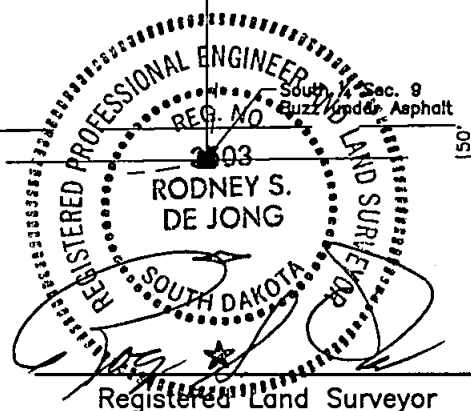
Parcel 1: The West 120 Feet of the East 1129 Feet of the South 348.5 Feet of the SW $\frac{1}{4}$ of Section 9, Township 118 North Range 52 West of the 5th P.M., in the Sisseton and Wahpeton Indian Reservation, Codington County, South Dakota, subject to Public Road Right of Way.

Parcel 2: The North 500.0 Feet of the South 1830.0 Feet of the East 348.5 Feet of the SW $\frac{1}{4}$ of Section 9, Township 118 North Range 52 West of the 5th P.M., in the Sisseton and Wahpeton Indian Reservation, Codington County, South Dakota.



Owner:
Clark Rural Water

Subject to Easements and Encroachments
not Found of Record





6595-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 3, 2006

Duane C. Stokes
Clark Rural Water System
Box 162
Clark SD 57225

Dear Mr. Stokes:

I am writing in regard to Clark Rural Water System's request for an additional well and change in the permitting location of the original well authorized by Water Permit No. 6595-3. Water Permit No. 6595-3 appropriates 0.56 cfs (404 acre feet annually) from one well completed into the Big Sioux:North Aquifer located in the NW ¼ SE ¼ Section 9, T118N, R52W. The water is to supply the rural water system.

Clark RWS has requested authorization for an additional well and to correct the location of the original well all located in the NE ¼ SW¼ Section 9, T118N, R52W. The two wells are completed into the Big Sioux:North Aquifer and the total diversion rate from these wells may not exceed 250 gallons per minute. The new well is a standby well to be used when the originally authorized well is out of service.

Upon review of the request and pursuant to SDCL 46-5-13.1, the additional well and change in location of the original well is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. However, a new water right permit will be necessary if more than 250 gallons per minute will be pumped.

If you have any questions, please contact Eric Gronlund at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

Permit No. 6595-3
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 made a thorough examination of the water use system constructed by **Clark RWS, Inc.** of **PO Box 162, Clark, SD 57225** holder of Permit No. **6595-3**, bearing the priority of **January 26, 2005** authorizing the diversion of **0.56** cu. ft. per second and **404** acre-feet annually of the waters of the **Big Sioux:North Aquifer** for **Rural Water System use** purposes, in **Codington** County.

Inspection contact & relationship **Duane Stokes**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Lacey Well Drilling**
- 2) No. of Wells **2**
- 3) Depth(s) **28 and 29** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **12** inches
- 2) Length **24** feet
- 3) Type **Steel**

Screen:

- 1) Type **Stainless Steel**
- 2) Length **5** feet
- 3) Static water level **10 and 11** feet

Pump:

- 1) Make **(2) Grundfos**
- 2) Model **200S-100**
- 3) Size **10 hp**
- 4) Capacity **200** GPM

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(s) of diversion located as follows:

North Well: Approximately 1,790 feet north and 2,450 east of the SW corner of Section 9-T118N-R52W (N 45.01092, W -97.17541) (NE ¼ SW ¼)

South Well: Approximately 1,620 feet north and 2,550 east of the SW corner of Section 9-T118N-R52W (N 45.01045, W -97.17501) (NE ¼ SW ¼)

The works are capable of diverting and conveying to the place of use 0.44 cu. ft. per second of water and/or storing 404 acre-feet of water which is to be used for Rural Water System use.

The license should be issued for 0.44 cfs and the diversion of 404 acre-feet annually.

All structures, wells and lands on map Y

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

The original permit requested the diversion of water from one well located in the NW ¼ SE ¼ of Section 9-T118N-R52W. However, both a change of diversion point and an additional well were requested and approved. The new location of both wells is shown above.

The Clark Rural Water System serves portions of Clark, Codington, Day, Grant and Hamlin counties.



Mike DeFea
Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: April 7, 2014

Clark Rural Water System, Inc.

Water Permit No. 6595-3



0 800 1,600 3,200 Feet

Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
April 7, 2014



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow...Today



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov



APR 14 2014

6595-3

Duane Stokes
Clark RWS Inc
PO Box 162
Clark SD 57225 0162

Dear Mr. Stokes:

Enclosed is Water License No. 6595-3. This is the final water right document completing the process of obtaining a Water Right. 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 wells authorized by Water Right No. 6595-3, 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6595-3**

(1) The Clark RWS Inc., PO Box 162, Clark SD 57225 made Application No. 6595-3, January 26, 2005 for a water permit to divert 0.56 cubic feet of water per second (404 acre-feet annually) from ground water (one well – Big Sioux North Aquifer), Codington County, South Dakota for rural water system purposes. Permit No. 6595-3, with a priority date of January 26, 2005 was approved June 9, 2005 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 9, 2010 and for the application to beneficial use of said water on or before June 9, 2014.

In 2006, the rural water system requested an additional well for standby purposes and a change in location of the original well to supply the rural water system. On March 3, 2006, pursuant to SDCL 46-5-13.1, the Chief Engineer made a finding that the change in location of the original well and the additional well did not increase the potential for adverse effects to existing diversions.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.44 cubic feet of water per second (404 acre feet annually) for beneficial use.

The location of the diversion points are (within the former boundaries of the Sisseton – Wapeton Indian Reservation):

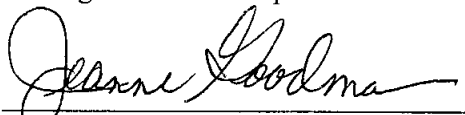
- north well – 1,790 feet north and 2,450 feet east of the SW corner of Section 9, T118N, R52W (NE ¼ SW ¼);
- south well – 1,620 feet north and 2,550 feet east of the SW corner of Section 9, T118N, R52W (NE ¼ SW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. The rural water system serves users in Clark, Codington, Day, Grant and Hamlin Counties in South Dakota.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Clark RWS Inc., PO Box 162, Clark SD 57225 the holder and/or owner of Water Right No. 6595-3 is issued a license to appropriate water, the right to use 0.44 cubic feet of water per second (404 acre feet annually) from ground water (two wells – Big Sioux North Aquifer) with a priority date of January 26, 2005 from the locations specified in (2) of this license for rural water system purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6595-3 and subject to the following qualifications:

- The wells 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 wells authorized by Permit No. 6595-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the 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. ***Both wells were drilled by Lacey Well Drilling – copies of the logs are on file with the Water Rights Program.***
- Clark Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux North Aquifer.



Jeanne Goodman, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

APR 14 2014

date

