

WATER PERMIT NO. 6725-3

Name of Applicant: City of Aberdeen

Address: 123 S Lincoln St, Aberdeen SD 57401

Phone: 605 626-7017

Amount of Water Claimed: 1,274 AF

Total Acres:

Source of Water Supply: groundwater (2 wells)

Water to be used for: commercial

County: Brown

Type of Waste Disposal System:

Location: 7 miles north of Aberdeen

PRIORITY

Date Received: 5-24-06

Application/License Fee: \$500

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: SE ¼ SE ¼ Sec 6-T124N-R63W

Land to be Irrigated: NA

Depth of Well: 48 and 54 feet deep

Well Driller: Lako Drilling

Remarks:

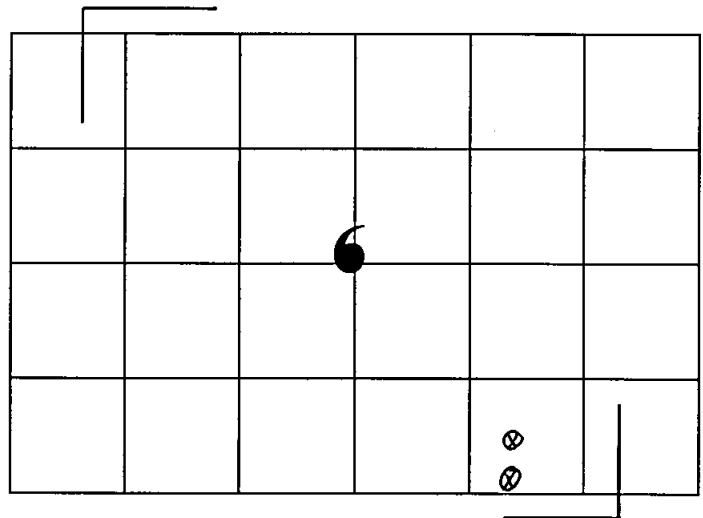
Type of Map: aerial

Prepared by: David C Odens, PE

Reviewed and the Number Assigned on: 5-24-06

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



SD EForm - 1585 V1
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. <u>6725-3</u> (office use only) Hydrologic Unit <u>10160003</u>
	Basin <u>James River</u>
	Newspaper <u>American News, Aberdeen</u>

RECEIVED
MAY 24 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: (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.)

1. Name of Applicant City of Aberdeen Phone (605) 626-7017
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 123 South Lincoln Street, Aberdeen State SD 57401
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.76 *CFS or 790 **GPM 1,274 ***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 Groundwater from Elm Aquifer
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Brown
2 wells in SE 1/4 SE 1/4 Section 6 T124N-R63W
5. County or counties where water will be used Brown
6. Annual period during which water is to be used January 1 to December 31
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)
Construction of 2 new wells at Jacob's property. New raw waterlines connected to existing 24" transmission waterlines.

STATE OF SOUTH DAKOTA)
County of Brown) 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, City of Aberdeen, 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 [Signature]

Subscribed and sworn to before me this 16 day of May 2006



Cathryn M Feickert
Notary Public signature

Com Exp 2/2/2012

**SOUTH DAKOTA
WATER PERMIT NO. 6725-3**

Date of first receipt of application May 24, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6725-3 to the City of Aberdeen, 123 S Lincoln St, Aberdeen SD 57401 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. 6725-3 appropriates 1.76 cubic feet of water per second (1,274 acre-feet annually) from two wells completed into the Elm:Northern Brown Aquifer (48 and 54 feet deep) located in the SE ¼ SE ¼ Section 6-T124N-R63W.
2. The water appropriated shall be used for the purpose of municipal use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 6725-3 is July 24, 2006.
5. The date from which applicant may claim right is May 24, 2006.
6. One-fifth of the construction is to be completed on or before January 24, 2009.
7. All construction is to be completed on or before July 24, 2011.
8. Water is to be put to beneficial use on or before July 24, 2015.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

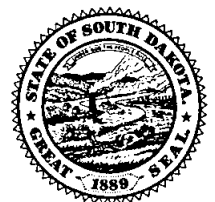
1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The City of Aberdeen shall report to the Chief Engineer annually the amount of water withdrawn from the Elm:Northern Brown Aquifer.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

AUG 17 2006
date



Supplemental Information

(Complete applicable portions only)

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 0' to 54'
- b) Casing Type Steel Diameter 12" Thickness 0.3125"
- c) Screen Type Stainless Steel Diameter 12" Thickness
- d) Gravel Pack Silica Length of Gravel Pack Approximately 24.5' to 28.5'
- e) Depth to Top of Water Bearing Material Approximately 6'
- f) Depth to Water (ground surface to water level) Approximately 7' to 13'
- g) Distance to nearest existing domestic well:
- On applicants property Approximately 1,450' On property owned by others

2. Wastewater Disposal System Information

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

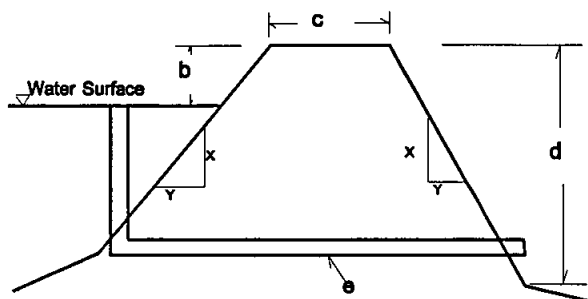
3. Dugout Information

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

4. Water Storage Dams

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

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



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

NOTES

RECEIPTDATE 5/24/06 NO. 4033

RECEIVED FROM

City of Aberdeen

ADDRESS

\$450 - WR Cap fee, \$35 WR permit \$10,732.50
for fee, \$232.50 future use renewal.

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	<u>033871</u>	☒
BALANCE DUE			MONEY ORDER		

Balance is 2007
Drinking Water FeeBY R Muller

©2001 REDIFORM® 8L806

ORDWAY TOWNSHIP

SECTION 6

EXISTING WELL FIELD

EXISTING 24" WATERMAIN

LANDOWNER: JACOB

WELL J-2

125th STREET

WELL J-1

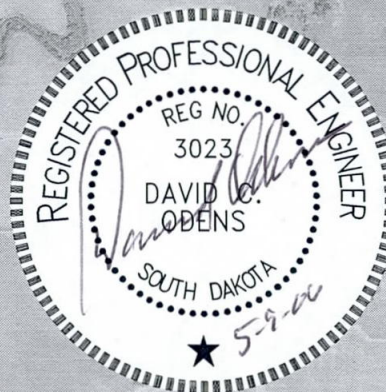
BERBOS WELL FIELD

389th AVENUE

EXISTING 24" WATERMAIN

EXISTING ABERDEEN
WATER TREATMENT PLANT

1000' 500' 0 1000' 2000'
SCALE: 1" = 2000'



DRAWN BY: J.L.U.
DESIGNED BY: A.P.T.
CHECKED BY: D.C.O.
REVIEWED: _____ FOR _____
DATE: _____
REVIEWED: _____ FOR BANNER ASSOCIATES, INC.
DATE: _____

BANNER ASSOCIATES, INC. • CONSULTING ENGINEERS & ARCHITECTS
409 22nd Ave S • P.O. Box 298 - Brookings, SD 57006 • (605)692-6342

BANNER

REVISION	DATE	DESCRIPTION	BY	CK'D

Aberdeen Water Treatment Plant
Well Field Expansion & Raw Water Pipelines - 2004
Aberdeen, South Dakota
SITE LAYOUT

SCALE: As Shown
JOB NO: 20192.00.01
DATE: May 06
SHEET NO: 6

SOUTH DAKOTA WATER WELL COMPLETION REPORT

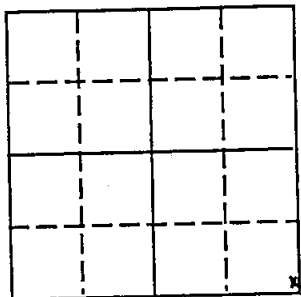
11-02

Location SE 1/4 SE 1/4 Sec 6 Twp 124 Rg 63

County

BROWN

North

Please mark well
location with an "X"

Well Completion Date

9/20/2005

1 Mile

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from NONE (Identify source)

PROPOSED USE:

☐ Domestic/Stock
☐ Irrigation

☒ Municipal
☐ Industrial

☐ Business
☐ Institutional

☐ Test Holes
☐ Monitoring well

METHOD OF DRILLING:

CASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
41.0	12.00	0.0	32.0	18.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
		Lb/gal	FT	FT
Bentonite	3	9.4	10.0	15.0
Cement	15	94.0	0.0	10.0

Describe grouting procedure

Pumped grout into annular space through tremie pipe.

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 12.00 inches Length 16.0 Feet
 Material S.S.
 Slot Size 60 Set From 32.0 Feet to 48.0 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? CHLORINE☐ No, Why Not?Lab sample sent to for
water quality analysisCity of Sioux Falls Public
WorksWell Owner: City of AberdeenBusiness Name: City Finance Officer, Auditor DivisionAddress: 123 South Lincoln StreetCity, State, Zip: Aberdeen SD 57401

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOPSOIL	0	4
BROWN CLAY	4	9
SOFT SILTY YELLOW CLAY	9	13
COURSE GRAVEL & SAND	13	32
SAND	32	46
CLAY & SAND	46	48

STATIC WATER LEVEL 12.9 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:
☐ Bailed
☐ Other

Pumping Level Below Land Surface

30.6 Ft After 12.0 Hrs. pumped 390.0 GPM

_____ Ft After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 528

And this report is true and accurate.

Drilling firm: LAKO DRILLING, INC.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Rick & Wahlen for City of AberdeenDate: 6 Dec 2005

J-2

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE 1/4 SE 1/4 Sec 6 Twp 124 Rg 63

County

BROWN

North

Please mark well
location with an "X"

W

E

Well Completion Date

9/19/2005

1 Mile

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from NONE (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

CASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
41.0 LB/FT	12.00 IN	0.0 FT	38.0 FT	18.00 IN

LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite	3	9.4 Lb/gal	10.0 Ft	15.0 Ft
Cement	15	94.0 Lb/gal	0.0 Ft	10.0 Ft

Describe grouting procedure

Pumped grout into annular space through tremie pipe.

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12.00 Inches Length 16.0 FeetMaterial S.S.Slot Size 60 Set From 38.0 Feet to 54.0 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? CHLORINE☐ No, Why Not?Lab sample sent to for
water quality analysisCity of Sioux Falls Public
WorksWell Owner: City of AberdeenBusiness Name: City Finance Officer, Auditor DivisionAddress: 123 South Lincoln StreetCity, State, Zip: Aberdeen SD 57401

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOPSOIL	0	2
BROWN CLAY	2	7
SAND & COURSE GRAVEL	7	50
CLAY	50	54

STATIC WATER LEVEL 15.0 FEETIf flowing: closed in pressure PSIGPM flow through inch pipeControlled by ☐ Valve ☐ Reducers ☐ OtherReduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

27.5 Ft After 12.0 Hrs. pumped 400.0 GPMFt After Hrs. pumped GPMIf pump installed, pump rate: GPM

REMARKS

This well was drilled under license # 528

And this report is true and accurate.

Drilling firm: LAKO DRILLING, INC.

Signature of License Representative:

Paul La

Signature of Well Owner or Equitable Property Holder:

*Rick B Mahlen for City of Aberdeen*Date: 6 Dec 2005

**LAKO DRILLING***Drilling & Repairing Tubular & Artesian Wells*

(701) 967-8333
 325 County Road 34
 Arthur, ND 58006

J-1

390GPM

PH 7.8

TEMP. 49 DEGREES

48FT. WELL

16FT. SCREEN

12.9 STATIC WATER LEVEL

Time	Draw Down	Recovery	Gallons
10:40AM	27.8		390GPM
10:41AM	29.5		390GPM
10:42AM	30.8		390GPM
10:43AM	30.83		390GPM
10:44AM	30.91		390GPM
10:45AM	30.93		390GPM
10:46AM	30.93		390GPM
10:47AM	30.95		390GPM
10:48AM	30.95		390GPM
10:49AM	30.95		390GPM
10:50AM	30.97		390GPM
10:55AM	31.05		390GPM
11:00AM	31.15		390GPM
11:10AM	31.18		390GPM
11:15AM	31.19		390GPM
11:20AM	31.18		390GPM
11:25AM	31.19		390GPM
11:30AM	31.24		390GPM
11:35AM	31.25		390GPM
11:40AM	31.29		390GPM
11:45AM	31.29		390GPM

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Time	Draw Down	Recovery	Gallons
12:00PM	31.33		390GPM
12:15PM	31.35		390GPM
12:30PM	31.4		390GPM
12:45PM	31.41		390GPM
1:00PM	31.43		390GPM
2:00PM	31.54		390GPM
3:00PM	31.6		390GPM
4:00PM	31.65		390GPM
5:00PM	31.7		390GPM
6:00PM	31.79		390GPM
7:00PM	31.85		390GPM
7:45PM	31.9		390GPM
7:47PM	30.43		350GPM
7:50PM	30.45		350GPM
7:55PM	30.45		350GPM
8:00PM	30.45		350GPM
8:05PM	30.43		350GPM
8:10PM	30.45		350GPM
8:15PM	30.46		350GPM
8:20PM	30.46		350GPM
8:25PM	30.47		350GPM
8:30PM	30.47		350GPM

Date: 7-13-05

Driller: PAUL LAKO[illegible]

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Time	Draw Down	Recovery	Gallons
8:35PM	30.47		350GPM
8:40PM	30.49		350GPM
8:45PM	30.49		350GPM
9:00PM	30.5		350GPM
10:00PM	30.53		350GPM
11:00PM	30.58		350GPM
12:00AM	30.63		350GPM
1:00AM	30.65		350GPM
2:00AM	30.65		350GPM
3:00AM	30.65		350GPM
4:00AM	30.66		350GPM
5:00AM	30.66		350GPM
6:00AM	30.66		350GPM
7:00AM	30.67		350GPM
8:00AM	30.66		350GPM
9:00AM	30.66		350GPM
10:00AM	30.66		350GPM
11:01AM		14.35	
11:02AM		14.15	
11:03AM		14.15	
11:04AM		14.1	
11:05AM		14.05	

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Time	Draw Down	Recovery	Gallons
11:06AM		14.03	
11:07AM		14.03	
11:08AM		14.02	
11:09AM		14.02	
11:10AM		14.02	
11:15AM		13.91	
11:20AM		13.9	
11:25AM		13.87	
11:30AM		13.85	
11:35AM		13.83	
11:40AM		13.81	
11:45AM		13.8	
11:50AM		13.8	
11:55AM		13.78	
12:00PM		13.77	
12:05PM		13.74	
12:10PM		13.74	
12:15PM		13.71	
12:30PM		13.65	
12:45PM		13.6	
1:00PM		13.55	
2:00PM		13.48	

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[illegible]

**LAKO DRILLING***Drilling & Repairing Tubular & Artesian Wells*

(701) 967-8333
 325 County Road 34
 Arthur, ND 58006

J-2

400GPM

PH 7.8

TEMP. 50 DEGREES

54FT. WELL

16FT. SCREEN

15FT. STATIC WATER LEVEL

Time	Draw Down	Recovery	Gallons
7:25AM	15		400 GPM
7:26AM	26.95		400GPM
7:27AM	26.96		400GPM
7:28AM	26.97		400GPM
7:29AM	27		400GPM
7:30AM	27.04		400GPM
7:31AM	27.1		400GPM
7:32AM	27.1		400GPM
7:33AM	27.1		400GPM
7:34AM	27.15		400GPM
7:35AM	27.15		400GPM
7:40AM	27.15		400GPM
7:45AM	27.2		400GPM
7:50AM	27.2		400GPM
7:55AM	27.2		400GPM
8:00AM	27.25		400GPM
8:05AM	27.25		400GPM
8:10AM	27.25		400GPM
8:15AM	27.3		400GPM
8:20AM	27.3		400GPM
8:25AM	27.3		400GPM

J-2 (CONT)

PAGE 2

Time	Draw Down	Recovery	Gallons
8:30AM	27.3		400GPM
8:35AM	27.3		400GPM
8:40AM	27.3		400GPM
8:45AM	27.3		400GPM
8:50AM	27.3		400GPM
8:55AM	27.3		400GPM
9:00AM	27.3		400GPM
9:05AM	27.3		400GPM
9:10AM	27.3		400GPM
9:15AM	27.3		400GPM
9:30AM	27.3		400GPM
9:45AM	27.35		400GPM
10:00AM	27.35		400GPM
10:15AM	27.35		400GPM
10:30AM	27.35		400GPM
11:00AM	27.35		400GPM
11:30AM	27.35		400GPM
12:00PM	27.35		400GPM
12:30PM	27.4		400GPM
1:00PM	27.4		400GPM
2:00PM	27.4		400GPM
3:00PM	27.45		400GPM

J-2 (CONT)

PAGE 3

Time	Draw Down	Recovery	Gallons
4:00PM	27.44		400GPM
5:00PM	27.43		400GPM
6:00PM	27.43		400GPM
7:00PM	27.43		400GPM
8:00PM	27.44		400GPM
9:00PM	27.45		400GPM
10:00PM	27.48		400GPM
11:00PM	27.48		400GPM
12:00AM	27.48		400GPM
1:00AM	27.5		400GPM
2:00AM	27.5		400GPM
3:00AM	27.5		400GPM
4:00AM	27.5		400GPM
5:00AM	27.5		400GPM
6:00AM	27.5		400GPM
7:00AM	27.5		400GPM
7:25AM		15.7	
7:26AM		15.44	
7:27AM		15.42	
7:28AM		15.4	
7:29AM		15.39	
7:30AM		15.38	

J-2 (CONT)

PAGE 4

Time	Draw Down	Recovery	Gallons
7:31AM		15.37	
7:32AM		15.37	
7:33AM		15.36	
7:34AM		15.36	
7:35AM		15.35	
7:40AM		15.34	
7:45AM		15.32	
7:50AM		15.31	
7:55AM		15.29	
8:00AM		15.28	
8:05AM		15.27	
8:10AM		15.26	
8:15AM		15.25	
8:20AM		15.25	
8:25AM		15.25	
8:30AM		15.24	
8:45AM		15.22	
9:00AM		15.19	
9:30AM		15.15	
10:00AM		15.12	
10:30AM		15.1	
11:00AM		15.04	

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[illegible]

REPORT ON APPLICATION NO. 6725-3

For City of Aberdeen

June 26, 2006

Application 6725-3 proposes to appropriate 1.76 cubic feet of water per second (cfs) from two wells completed into the Elm: Northern Brown Aquifer (48 and 54 feet deep) located in the SE ¼ SE ¼ Section 6, T124N R63W; located in Brown County. The water is for municipal use. The SE ¼ of Section 6 is not located within the city's future use area.

AQUIFER – ELM: NORTHERN BROWN (E: NB)

The Elm: Northern Brown Aquifer is composed of alluvium and glacial deposits ranging from fine sand to very coarse gravel. The aquifer represents an unconfined condition with water table characteristics in the area of this application. The aquifer underlies 187,200 acres and contains an estimated 702,000 acre feet of recoverable water in storage in Brown County (Hedges, 1982). The aquifer appears to be hydraulically connected to the Elm: Southern Brown aquifer to the south and to the Elm River. According to the well driller's reports submitted with the application the wells have a static water level of 12.9 feet and 15 feet respectively.

The Water Rights Program monitors an observation well (BN-77L) completed into the Elm: Northern Brown aquifer located approximately 2 miles north of this site. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general the observation well record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2006). A hydrograph for this observation well is included in this report and labeled as Figure 1.

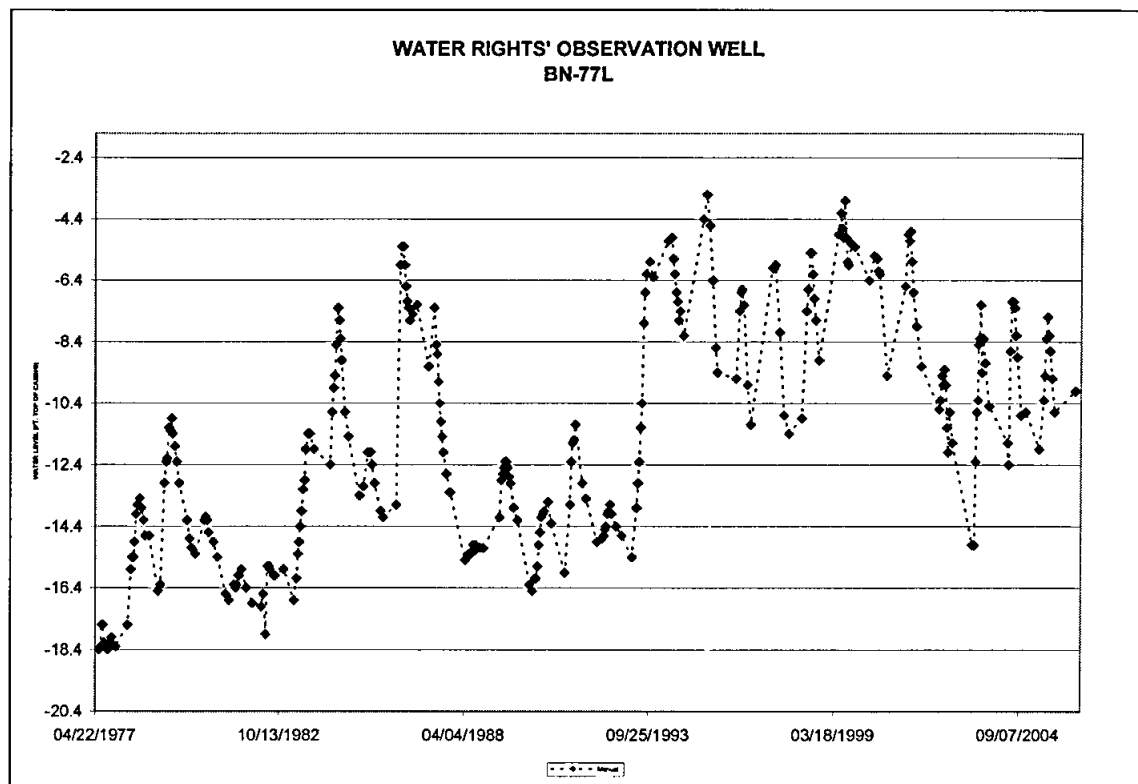


Figure 1. Hydrograph of observation well BN-77L.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

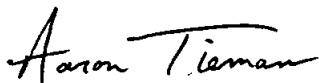
There are three existing Water Rights appropriating ground water within a two mile radius of this application. A list of the permits is included with this report labeled as Table 1. The nearest water right/permit from the Elm: Northern Brown Aquifer is approximately $\frac{3}{4}$ mile to the southeast. This well is for Water Rights No. 6546-3 (4.67 cfs for municipal use). Interference is not expected to be a problem.

Table 1. Table identifying permits within a two mile radius of the application.

PERMIT NO	LAST NAME	AQUIFER	USE	CFS
122-3	TRINS CONSTRUCTION INC	E: NB	IRR	3.5
5476-3	ABERDEEN	E: NB	MUN	2.22
6546-3	ABERDEEN	E: NB	MUN	4.67

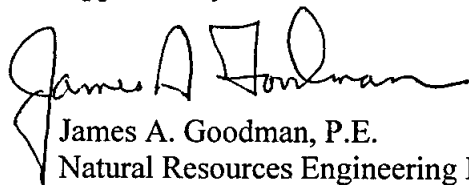
CONCLUSIONS

1. The Elm: Northern Brown Aquifer is a viable groundwater source and water is available for this appropriation.
2. The SE $\frac{1}{4}$ of Section 6 is not located within the city's future use area.
3. The aquifer is under unconfined conditions at this site. The well completion reports filed with this application indicate static water levels of 12.9 feet and 15 feet. Interference should not be a concern.
4. The wells authorized for this application are existing wells and appear to be completed in accordance with SD Well Construction Standards.



Aaron R. Tieman
Natural Resources Engineer

Approved by



James A. Goodman, P.E.
Natural Resources Engineering Director

BIBLIOGRAPHY

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

Water Right, 2006, Unpublished Observation Well Data, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.



**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. 6725-3. City of Aberdeen**

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. 6725-3, City of Aberdeen, Mayor Mike Levsen, 123 South Lincoln Street, Aberdeen SD 57401.

The Chief Engineer is recommending APPROVAL of Application No. 6725-3 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 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.
2. The City of Aberdeen shall report to the Chief Engineer annually the amount of water withdrawn from the Elm:Northern Brown Aquifer.

See report on application for additional information.

Garland Erbele, Chief Engineer
June 29, 2006

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA}

§

COUNTY OF BROWN}

May Basler being duly sworn, on his/her oath says: That the AMERICAN NEWS is a daily newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, by the Aberdeen News Company, a corporation, and has been such a newspaper during the times hereinafter mentioned; That affiant is an employee and principal clerk of said publisher and has personal knowledge of all facts stated in this affidavit; That the advertisement headed:

Legal Notice # 394659
Applicant
14 6725-3

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement thereof, once each Week for 2 successive Weeks.

The first publication being made on the 7 day of July, 2006.

The second publication being made on the 14 day of July, 2006.

The third publication being made on the day of , 2006.

The fourth publication being made on the day of , 2006.

The fifth publication being made on the day of , 2006.

The sixth publication being made on the day of , 2006;

That said newspaper is a legal newspaper published five days or more each week; with a bona fide circulation of more than two hundred copies daily; published in the English language within the said county of Brown for more than one year prior to the first publication of said notice; and printed in whole in an office maintained at the place of publication of said newspaper; That the whole amount of the fee paid for the publication of the annexed notice is \$ 81.78, which insures solely to the benefit of said publisher; That no agreement or understanding for a division thereof had been made with any other person; and That no part thereof has been agreed to be paid to any person whomsoever.

May Basler
Subscribed and sworn to before me this 14 day of July, 2006.

Daily Circulation 18,000

Orni Daley

Notary Public, Brown County, SD.

My commission expires

March 20, 2007

(No. 1394659)
(July 7, 14, 2006 - 2T)
NOTICE OF APPLICATION
NO. 6725-3 to Appropriate Water
Notice is given that the City of Aberdeen, 123 South Lincoln St, Aberdeen, SD 57401 has filed an application for a water permit to appropriate 1.76 cubic feet of water per second (1,274 acre-free annually) from two wells completed into the Elm: Northern Brown Aquifer (48 and 54 feet deep) located in the SE 1/4 SE 1/4 Section 6-T124N-R63W. The water is for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6725-3 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 recommendation must file a written petition with BOTH the applicant and the 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 July 24, 2006.

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.

SEAL

RECEIVED

JUL 19 2006

WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on July 7, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6725-3 to Appropriate Water

Notice is given that the City of Aberdeen, 123 South Lincoln St, Aberdeen SD 57401 has filed an application for a water permit to appropriate 1.76 cubic feet of water per second (1,274 acre-feet annually) from two wells completed into the Elm:Northern Brown Aquifer (48 and 54 feet deep) located in the SE ¼ SE ¼ Section 6-T124N-R63W. The water is for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6725-3 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 July 24, 2006.

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**DEPARTMENT of ENVIRONMENT
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NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

June 29, 2006

City of Aberdeen
c/o Mike Levsen, Mayor
123 S Lincoln St
Aberdeen SD 57401

Dear Mayor Levsen:

Water Permit Application No. 6725-3 for municipal 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 American News printed at Aberdeen, SD (Ph # 605-225-4100). 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

c: Dave Odens, Banner Associates, Inc.
enclosures

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



DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

June 29, 2006

American News
PO Box 4430
Aberdeen SD 57402-4430

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6725-3 to Appropriate Water to be published twice. Please publish the first notice on July 7, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is City of Aberdeen, 123 South Lincoln St., Aberdeen SD (Ph # 605-626-7017).

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. 6725-3

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

Date _____

We are in receipt of your letter of June 29, 2006 enclosing Notice to Appropriate Water by Application No. 6725-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



AUG 17 2008

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

City of Aberdeen
% Mike Levsen Mayor
123 S Lincoln St
Aberdeen SD 57401

Dear Mr. Levsen:

Enclosed is Water Permit No. 6725-3 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

cc: David Odens, Banner Associates, PO Box 298, Brookings SD 57006

enclosures

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

Date 10/24/2006

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

FROM: City of Aberdeen SD
(name)
123 S Lincoln Street
(address)
Aberdeen, SD 57401 605-626-7011
(city, state, zip) (phone)

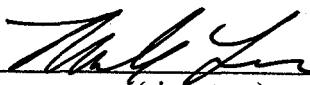
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6725-3 states that the water use system is to be constructed by
July 24, 2011, and water is to be put to beneficial use by July 24, 2015.
(date) (date)

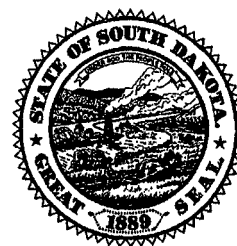
The water use system was completed on 12/29/05.
(date)

Applying the water to beneficial use was completed on 1/30/06.
(date)

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


(signature)

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Permit No. 6725-3
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, **September 18, 2007**, made a thorough examination of the water use system constructed by the **City of Aberdeen** of **123 South Lincoln, Aberdeen, SD 57401** holder of Permit No. **6725-3**, bearing the priority of **May 24, 2006** authorizing the diversion of **1274** acre-feet annually (**1.76 cfs**) of the waters of the **Elm:Northern Brown Aquifer** for **Municipal** purposes, in **Brown** County.

Inspection contact & relationship **Jannell Ellingson**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Lako Drilling, Inc**
- 2) No. of Wells **2**
- 3) Depth(s) **J-1: 48 feet, J-2: 54 feet**
- 4) Well log is available **Y**
- 5) Comment:

Casing:

- 1) Diameter **12** inches
- 2) Length **J-1: 32, J-2: 38** feet
- 3) Type **Steel**

Screen:

- 1) Type **Stainless Steel**
- 2) Length **J-1: 16, J-2: 16** feet
- 3) Static water level **J-1: 12.9, J-2: 15** feet

Pump:

- 1) Make **(2) Grundfos Submersible**
- 2) Model **230S-50-2AB, 475S-100-1**
- 3) Size **5 hp, 10 hp**
- 4) Capacity **230, 475** 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:

J-1: Approximately 95 feet north and 670 feet west of the SE corner of Section 6-T124N-R63W

(N 45.57538, W -98.45673) (SE ¼ SE ¼)

J-2: Approximately 710 feet north and 580 feet west of the SE corner of Section 6-T124N-R63W

(N 45.57717, W -98.45639) (SE ¼ SE ¼)

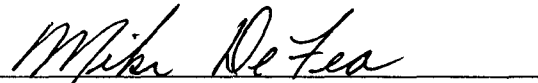
The works are capable of diverting and conveying to the place of use 1.57 cu. ft. per second of water (1137 acre-feet annually) which is to be used for Municipal Use. Water has been put to beneficial use to the maximum extent as follows:

Waterlines from these two wells are connected to existing 24" transmission waterlines.

The license should be issued for 1.57 cfs.

All structures, wells and lands on map Y

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



Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

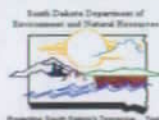
Date report completed: January 2, 2008

City of Aberdeen
123 Lincoln St
Aberdeen, SD 57401

Water Permit No. 6725-3



Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
January 2, 2008



0 380 760 1,520 2,280 3,040 Feet



JUL 28 2008

6725-3

**DEPARTMENT of ENVIRONMENT
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6546-3 & 6725-3

City of Aberdeen
Janel Ellingson, Water Superintendent
123 South Lincoln St
Aberdeen SD 57401

Dear Ms. Ellingson:

Enclosed are Water License Nos. 6546-3 and 6725-3. These are the final water right documents completing the city's process of obtaining a Water Right. Also, included with the licenses are maps prepared by the staff engineer who conducted the investigations.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right Nos. 6546-3 and 6725-3, 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 Licenses, the State Water Laws provide that the city has 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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6725-3

(1) City of Aberdeen, 123 South Lincoln Street, Aberdeen SD 57401 made Application No. 6725-3, May 24, 2006 for a water permit to divert 1.76 cubic feet of water per second (1,274 acre-feet annually) from groundwater (two wells), Brown County, South Dakota for municipal purposes. Permit No. 6725-3, with a priority date of May 24, 2006 was approved July 24, 2006 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 24, 2011 and for the application to beneficial use of water on or before July 24, 2015.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on October 27, 2008. The *Notice* stated the diversion system was completed on December 29, 2005 and the water placed to beneficial use on January 20, 2006.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6725-3 is issued a license, bearing a priority date of May 24, 2006 to appropriate 1.57 cubic feet of water per second (1,137 acre-feet annually) from groundwater (two wells) for municipal purposes.

The diversion points are both located in **Section 6-T124N-R63W**

J-1: approximately 95 feet north and 670 feet west of the southeast corner (SE ¼ SE ¼)

J-2: approximately 710 feet north and 580 feet west of the southeast corner (SE ¼ SE ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6725-3 including the following now applicable 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 City of Aberdeen shall report to the Chief Engineer annually the amount of water withdrawn from the Elm:Northern Brown Aquifer.

Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

JUL 28 2008

date

