

WATER PERMIT NO. 6910-3

Name of Applicant: **Woodlawn Cemetery**

Address: **2001 S Cliff Ave, Sioux Falls SD 57105**

Phone: **605 332-5221**

Amount of Water Claimed: **0.44 cfs**

Total Acres: **80 acres**

Source of Water Supply: **groundwater (two wells)**

Water to be used for: **irrigation**

County: **Minnehaha**

Type of Waste Disposal System:

Location: **in Sioux Falls**

PRIORITY

Date Received: **10-15-07**

Application/License Fee: **\$275**

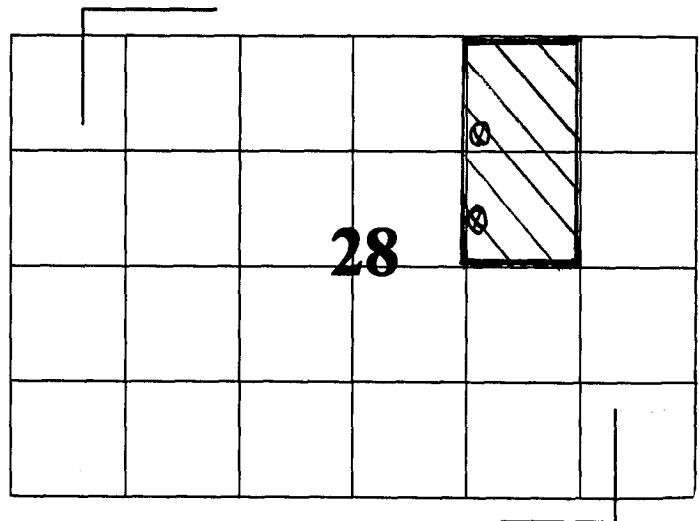
Corrected Application Received: **10-29-07**

Period of Annual Use: **April 1 – October 15**

Remarks:

Diversion Point: **E ½ NE ¼ Sec 28-T101N-R49W**

Land to be Irrigated: **E ½ NE ¼ Sec 28-T101N-R49W**



Depth of Well: **300 feet deep**

Well Driller:

Remarks:

Type of Map: **plat**

Prepared by: **Daniel A Norman, PE**

Reviewed and the Number Assigned on: **10-29-07**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>16910-3</u> (office use only) <u>10170203</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Argus Leader</u> <u>P.O. Box 5034</u> <u>Sioux Falls</u>
	<u>1605-331-2200</u> <u>57117</u>

RECEIVED
OCT 15 2007
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

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

- Name of Applicant Woodlawn Cemetery Phone (605) 332-5221
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 2001 South Cliff Avenue, Sioux Falls State SD 57105
(Street, RR, or Box and City) each well (Zip Code)
- Amount of water claimed 0.44*CFS or 100**GPM 146***AF Total Acreage 80
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Wells
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 2 Wells in E 1/2 of
NE 1/4 (Ex H-1&H-2) Sect 28 Twnshp 101, Range 49
County Minnehaha
- County or counties where water will be used Minnehaha
- Annual period during which water is to be used April 1 thru October 15
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
Cemetery	80		
E 1/2 NE 1/4 Sec 28 T110N			
R 49W			

8. Give a description of the project. (Attach sheet if more space is needed)

Drill a maximum of two wells for irrigation.

STATE OF SOUTH DAKOTA) SS

County of Minnehaha

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, John Marshman, 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

Subscribed and sworn to before me this

10th day of Oct 2007

Kristina B. Sawyer

Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6910-3**

Date of first receipt of application October 15, 2007.

Date of return to applicant for corrections, amendments or changes October 15, 2007.

Date of receipt of corrected application October 29, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6910-3 to Woodlawn Cemetery, 2001 South Cliff Ave, Sioux Falls SD 57105 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. 6910-3 appropriates 0.44 cubic feet of water per second from two wells to be completed into the Sioux Quartzite Aquifer (approximately 300 feet deep) located in E ½ NE ¼ Section 28 to irrigate 80 acres located in the E ½ NE ¼ Section 28; all in T101N-R49W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 15.
3. The date from which applicant may claim right is October 15, 2007.
4. The date of approval of Permit No. 6910-3 is January 21, 2008.
5. One-fifth of the construction is to be completed on or before July 21, 2010.
6. All construction is to be completed on or before January 21, 2013.
7. Water is to be put to beneficial use on or before January 21, 2017.
8. 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 wells authorized by Permit No. 6910-3 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

APR 02 2008

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 4 " Depth 300 ft. Est.
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ 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) _____
- g) Distance to nearest existing domestic well:
- On applicants property N/A On property owned by others 600 ft. Est.

2. Wastewater Disposal System Information

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

3. Dugout Information

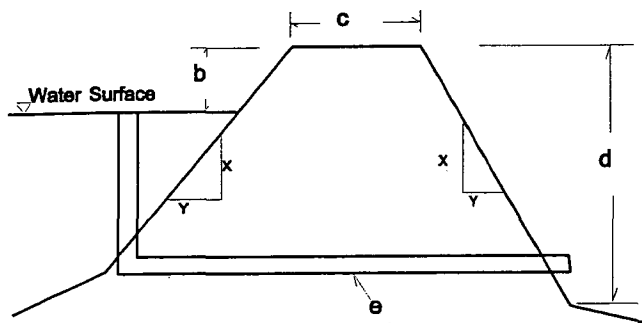
- a) Surface Dimensions N/A Depth _____
- b) Depth to water (ground surface to water level) _____

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:

N/A



- 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 10/29, 2007

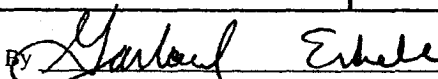
RECEIVED OF Woodlawn Cemetery 2001 S Cliff Ave Sioux Falls SD 57105

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6910-3</u>		
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.

03189

By 
Chief Engineer

22

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/15, 20⁰⁷

RECEIVED OF Woodlawn Cemetery 2001 S Cliff Ave Sioux Falls SD 57105

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

Fee for Application for Permit No. <u>6910-3</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. _____		
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	225 00

No.

03183

By

Lyndal Erbe

Chief Engineer

207



October 15, 2007

Woodlawn Cemetery
John Marshman
2001 S Cliff Ave
Sioux Falls SD 57105

Dear Mr. Marshman:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation of the cemetery. In order to complete the application the following is required.

- Enclosed is the map submitted with the application. Please mark the proposed location of the two wells on the map.
- The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties.
- We have received the \$225 application filing fee. In addition to the application filing fee, the Water Rights Program collects the \$50 licensing fee at the time of filing. Please submit \$50 for the licensing of the water permit.
- The amount of water claimed is based on the pump rate. What will the maximum pump rate be from each of the wells (gallons per minute)?
- If available, please submit a well log or test hole log signed by a licensed South Dakota well driller.

If you have any questions, please contact me.

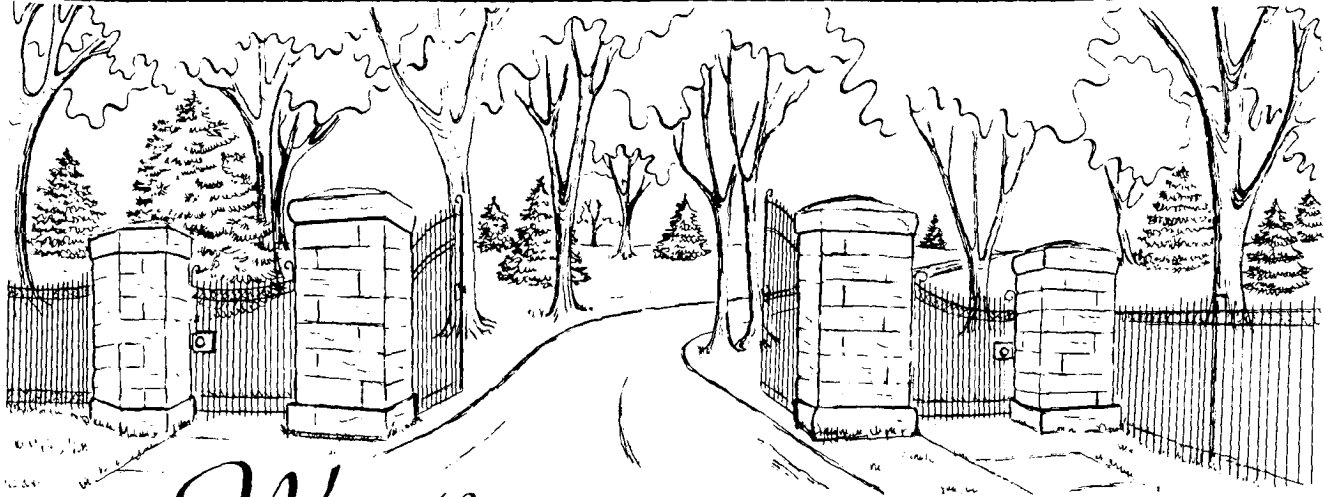
Sincerely,

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

enclosure

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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



Woodlawn CEMETERY ASSOCIATION

2001 SOUTH CLIFF AVE. • SIOUX FALLS, SOUTH DAKOTA 57105

PHONE 332-5221

October 25, 2007

Karen Schlaak
Department of Environment
and Natural Resources
PMB 2020 – Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

RECEIVED

OCT 29 2007

**WATER RIGHTS
PROGRAM**

Dear Karen,

I succeeded in getting our map signed by Mr. Norman.

Also enclosed is a check for \$50.00 for the licensing of the water permit.

The maximum pump rate will be 100 gallons per minute.

I hope this information completes our application for a Permit to Appropriate Water.

Sincerely,

WOODLAWN CEMETERY

Kris Howard
Manager

kh:cc
encls:



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6910-3, Woodlawn Cemetery**

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. 6910-3, Woodlawn Cemetery, c/o John Marshman, 2001 South Cliff Avenue, Sioux Falls SD 57105.

The Chief Engineer is recommending APPROVAL of Application No. 6910-3 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 wells authorized by Permit No. 6910-3 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
December 20, 2007

REPORT ON WATER PERMIT APPLICATION NO. 6910-3
Woodlawn Cemetery
December 11, 2007

Application No. 6910-3 proposes to appropriate 0.44 cfs (200 gpm) from two wells approximately 300 feet deep located in the E ½ NE ¼ of section 28, T101N R49W in Minnehaha County for irrigation.

AQUIFER – SIOUX QUARTZITE (SOUX)

The Sioux quartzite consists of a well fractured and jointed crystalline rock. Ground water yields are unpredictable but commonly amounts are sufficient for domestic supplies. Estimated well yields of 150 gpm can be anticipated but are generally less than 50 gpm (Lindgren, 1992). Individual well yields appear to depend upon the number of fractures and joints intersected by the drill hole and also the interconnection of these fractures to surficial aquifers like the Big Sioux aquifer or other aquifers lying directly upon the Sioux Quartzite. Also the Big Sioux River flows directly over the Sioux Quartzite in Falls Park and should be a recharge or discharge zone.

No driller's log was filed with the application. Nearby wells (within one-half mile) indicate that the Sioux Quartzite was encountered within a few feet of the land surface. Well yields varied from a few gallons per minute to as much as 150 to 200 gpm in the downtown area of Sioux Falls. Until the site is tested well yields will only be a guess.

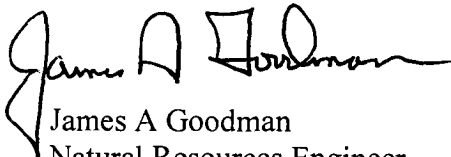
The Water Rights Program does not monitor any observation wells completed into this aquifer in this area. There is little historical information available concerning water level for the Sioux Quartzite. The nearest observation well completed into an aquifer lying on the Sioux Quartzite is MA-80BA which is completed into the Split Rock Creek aquifer and located about 4 miles northeast of this application. Water levels for this well show good response to climatic conditions that is rising water levels during wet years and gradually declining water levels during dry years. It is assumed that the water levels for the Sioux Quartzite would behave in a similar manner (Water Rights, 2007). A hydrograph for this observation well is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water right is No. 5931-3 located about one-half mile to the east of this application. This right is for only 0.013 cfs (6 gpm). Interference is not a concern. Drawdown may be created by pumping but this is not expected to cause any adverse effects on existing water permits/rights.

CONCLUSIONS

1. Water is available from the Sioux Quartzite aquifer at this site.
2. The aquifer is under water table conditions at this site. Drawdown will occur but this is not expected to be significant. Interference is not a concern. There really are no other nearby permitted water users from this aquifer.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



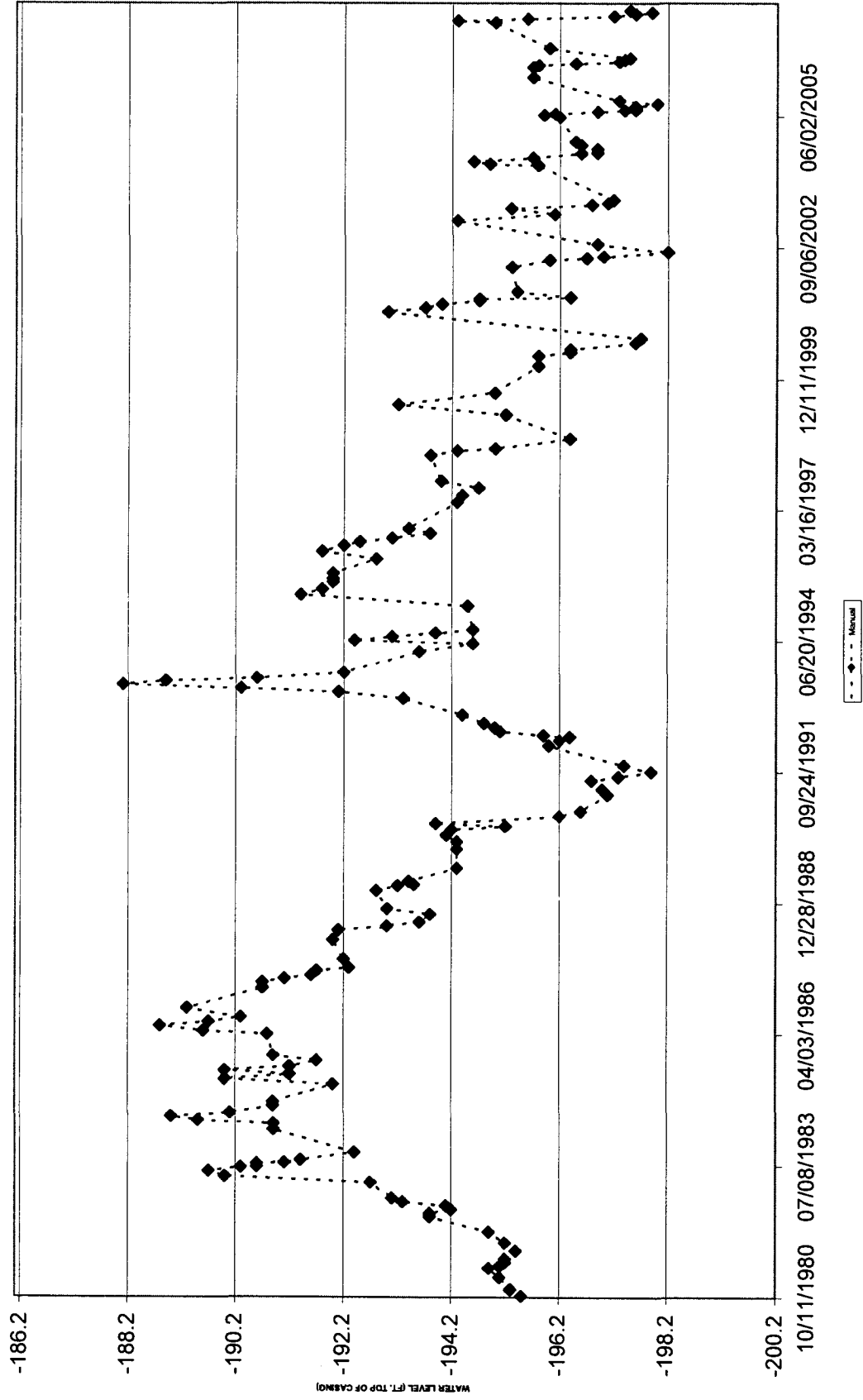
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

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

Water Rights, 2007, Unpublished Observation Well Data for Minnehaha County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
MA-80BA**



AFFIDAVIT OF PUBLICATION-

Customer Number: 078200

Invoice Number: 1094719

Argus Leader **AFFIDAVIT OF PUBLICATION**

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

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

Friday the 4 day of January 2008 ,

Friday the 11 day of January 2008 ,

_____, the _____ day of _____ 2008

_____, the _____ day of _____ 2008 ,

_____, the _____ day of _____ 2008 ,

_____, the _____ day of _____ 2008 ,

_____, the _____ day of _____ 2008 ,

and that \$103.76 was charged for publishing the same

Betty Jones

Subscribed and sworn to before me 1/11/2008 .

Notary Public, South Dakota

My Commission expires December 22, 2009

NOTICE OF APPLICATION NO. 6810-3 To Appropriate Water

Notice is given that Woodlawn Cemetery, c/o John Marshman, 2001 S Cliff Ave, Sioux Falls SD 57105 has filed an application for a water permit to appropriate 0.44 cubic feet of water per second from two wells to be completed into the Sioux Quartzite Aquifer (approximately 300 feet deep) located in E 1/2 NE 1/4 Section 28 to irrigate 80 acres located in the E 1/2 NE 1/4 Section 28; all in T101N-R40W.

Pursuant to SDCL 45-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6810-3 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 45-2A-23, the Chief Engineer will act on this 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 this 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 recommendations must file a written petition with BCTH 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, Posa 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 January 21, 2008.

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.

1094719 Jan. 4 & 11, 2008



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 21, 2007

Argus Leader
PO Box 5034
Sioux Falls SD 57117

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6910-3 to Appropriate Water to be published twice. Please publish the first notice on January 4, 2008 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 Woodlawn Cemetery, John Marshman, 2001 S Cliff Ave, Sioux Falls SD 57105 (Ph # 605-332-5221).

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. 6910-3

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

Date _____

We are in receipt of your letter of December 21, 2007 enclosing Notice to Appropriate Water by Application No. 6910-3 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

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

December 21, 2007

Woodlawn Cemetery
John Marshman
2001 S Cliff Ave
Sioux Falls SD 57105

Dear Mr. Marshamn:

Water Permit Application No. 6910-3 for cemetery watering 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 Argus Leader printed at Sioux Falls SD (Ph # 605-331-2200). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications 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 Notices 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 applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish first Notice on January 4, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6910-3 to Appropriate Water

Notice is given that Woodlawn Cemetery, c/o John Marshman, 2001 S Cliff Ave, Sioux Falls SD 57105 has filed an application for a water permit to appropriate 0.44 cubic feet of water per second from two wells to be completed into the Sioux Quartzite Aquifer (approximately 300 feet deep) located in E ½ NE ¼ Section 28 to irrigate 80 acres located in the E ½ NE ¼ Section 28; all in T101N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6910-3 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 this 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 this 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 recommendations 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 January 21, 2008.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 02 2008

Woodlawn Cemetery
2001 S Cliff Ave
Sioux Falls SD 57105

Dear Mr. Marshman:

Enclosed is Water Permit No. 6910-3 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 2009

NOTICE

TO: WOODLAWN CEMETERY, JOHN MARSHMAN, SEC, 2001 S CLIFF AVE, SIOUX FALLS, SD 57105

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6910-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6910-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 11, 2009** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6910-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

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Status: **Delivered**

Your item was delivered at 9:36 AM on January 26, 2009 in SIOUX FALLS, SD 57105. The item was signed for by C CROM.

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Signature Confirmation

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 7651

WOODLAWN CEMETERY
JOHN MARSHMAN, SEC
2001 S CLIFF AVE
SIOUX FALLS SD 57105

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

☐ Priority Mail™ Service
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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 2009

6910-3

John Marshman, Sec
Woodlawn Cemetery
2001 S Cliff Ave
Sioux Falls SD 57105

Dear Sir:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. Kris faxed a copy to our office and included a copy of a fax transmission showing the questionnaire was submitted to our program back in October.

You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Permit No. 6910-3.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

6910-3
07-92

Date: 10-16-09

Permit No. 6910-3
Big Sioux River - Water District

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

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

I have this day, **October 15, 2013**, made a thorough examination of the water use system constructed by **Woodlawn Cemetary** of **address** holder of Permit No. **6910-3**, bearing the priority of **November 15, 2007** authorizing the diversion of **0.44** cu. ft. per second of the waters of **Sioux Quartzite** aquifer for **irrigation** purposes, in **Minnehaha** County.

Inspection contact & relationship **John Marshman, Sec and Kris Howard**
to permit holder, if applicable: **605.332.5221**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Dave Putzke Well Drilling and Repair**
- 2) No. of Wells **1**
- 3) Depth(s) **522** feet
- 4) Well log is available **yes**
- 5) Comment: **completed 9-29-09**

Casing:

- 1) Diameter **6** inches
- 2) Length **79** feet
- 3) Type **steel**

Screen: into the granite, no screen necessary

- 1) Type **granite**
- 2) Length **443** feet
- 3) Static water level **110** feet

Pump:

- 1) Make **submersible**
- 2) Model
- 3) Size
- 4) Capacity **50** GPM

Motor:

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

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

- 1) Type garden hose 2) Size 5/8 inches

C. Works used to apply water to beneficial use:

Pump to 20 spigots throughout the cemetery and water is applied with garden hoses.

Chemigation Equipment:

- 1) Does chemigate no

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes
- 3) Exceptions to compliance are: none

The system is in good condition with the point of diversion located as follows: 1170' S and 1170' W of the NE corner of Section 28-T101N-R49W (43.52614219, -96.71568423). The works are capable of diverting and conveying to the place of use 0.111 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows: **Irrigate new grave sites until vegetation is established and gardens throughout the 80 acre cemetery.**

Section 28-T101N-R49W

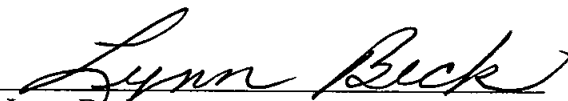
NE¼ NE¼ 40 acres

SE¼ NE¼ 40 acres

comprising a total of 80 acres of land and the license should be issued for 0.111 cfs.

All structures, wells and lands on map yes

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

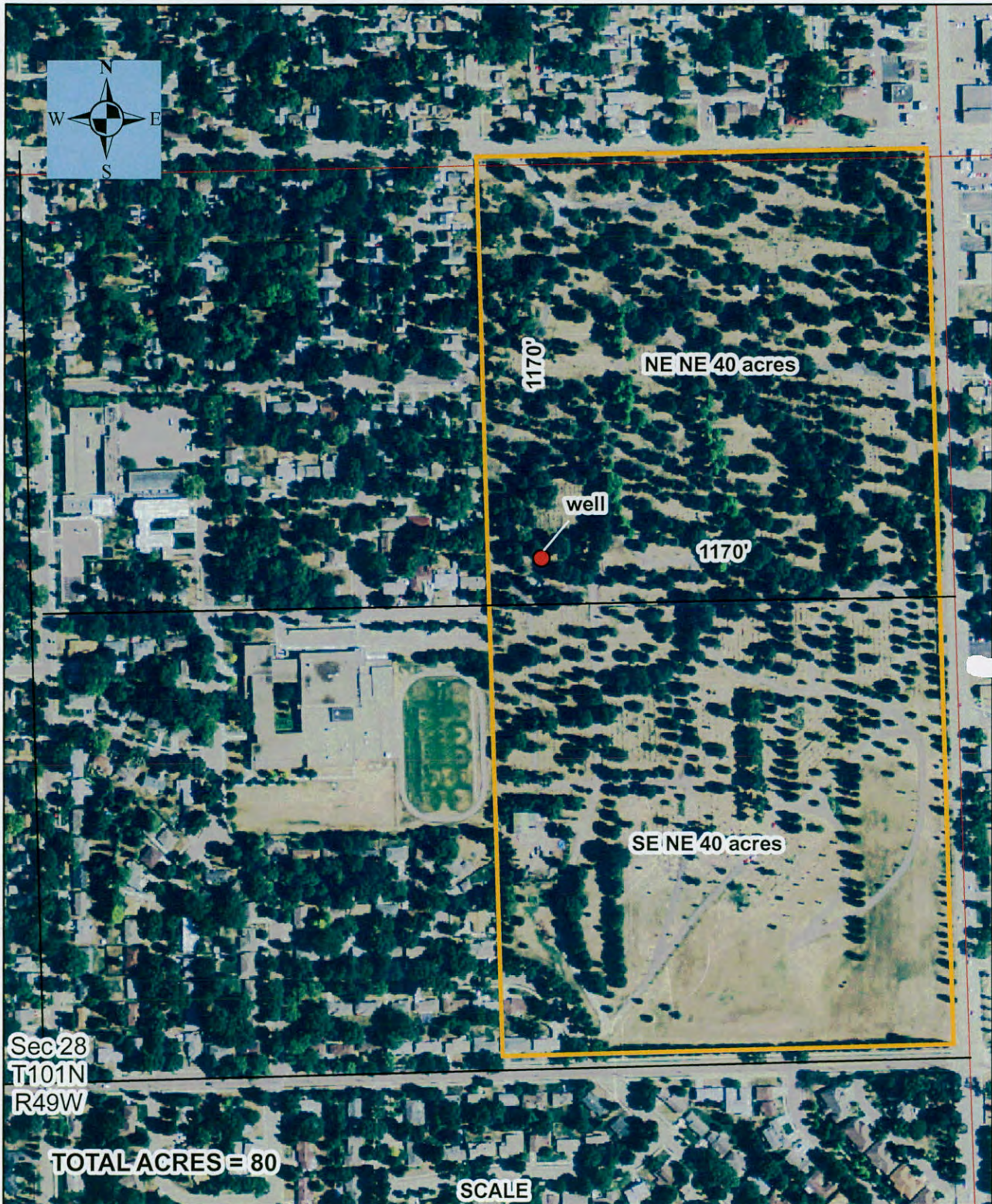


Lynn Beck

Natural Resources Engineer Specialist
DENR, Water Rights Program

Date report completed: December 13, 2013

WATER LICENSE NO. 6910-3
WOODLAWN CEMETARY
NOVEMBER 27, 2013



0 330 660 1,320 1,980 2,640 Feet

Lynn Beck
Lynn Beck
Natural Resources Engineer III
SD DENR - Water Rights Program



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



**DEPARTMENT of ENVIRONMENT
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denr.sd.gov

DEC 27 2013

6910-3

John Marshman
Woodlawn Cemetery
2001 S Cliff Ave
Sioux Falls SD 57105

Dear Mr. Marshman:

Enclosed is Water License No. 6910-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6910-3, 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. 6910-3**

(1) Woodlawn Cemetery, 2001 S Cliff, Ave., Sioux Falls SD 57105 made Application No. 6910-3, October 15, 2007 for a water permit to divert 0.44 cubic feet of water per second from ground water (two wells – Sioux Quartzite), Minnehaha County, South Dakota for irrigation purposes. Permit No. 6910-3, with a priority date of October 15, 2007 was approved January 21, 2008 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 21, 2013 and for the application to beneficial use of said water on or before January 21, 2017.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to construction of the water supply system and is entitled to divert 0.111 cubic feet of water per second for beneficial use. The location of the diversion point is 1,170 feet south and 1,170 feet west of the NE corner of Section 28, T101N, R49W (NE ¼ NE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

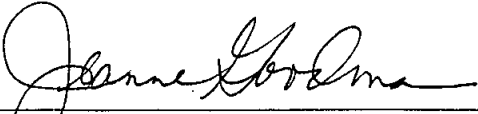
Section 28, T101N, R49W	NE ¼ NE ¼	40 acres
	SE ¼ NE ¼	<u>40 acres</u>
		80 acres*

**Irrigation is conducted throughout the 80 acre cemetery on new grave sites until vegetation is established.*

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Woodlawn Cemetery, 2001 S Cliff, Ave., Sioux Falls SD 57105 the holder and/or owner of Water Right No. 6910-3 is issued a license to appropriate water, the right to use 0.111 cubic feet of water per second from ground water (one well – Sioux Quartzite) with a priority date of October 15, 2007 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6910-3 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6910-3 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. *Well completed in September 2009 by Dave Putzke Well Drilling. Copy of log on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 27 2013

date





6910-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 23, 2020

NOTICE

TO: WOODLAWN CEMETERY, JOHN MARSHMAN, SEC, 2001 S CLIFF AVE, SIOUX FALLS, SD 57105

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6910-3. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6910-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6910-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: HPBOQG**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

6910-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 2020

6910-3

Michelle Millette, Mgr
Woodlawn Cemetery Association
2001 S Cliff Ave
Sioux Falls SD 57105

Dear Ms. Millette:

I am writing to acknowledge receipt of the information for your 2019 irrigation questionnaire.

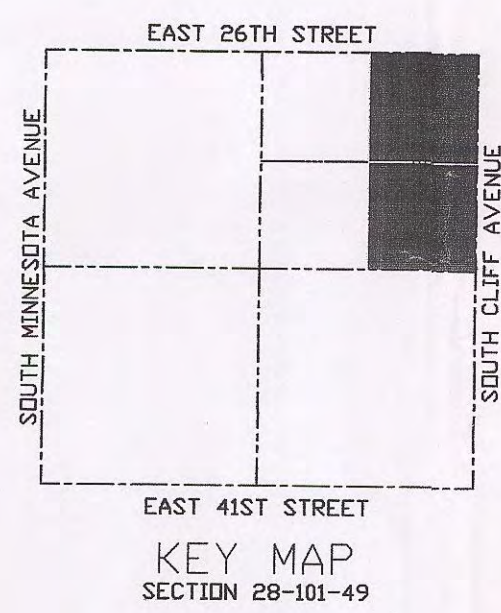
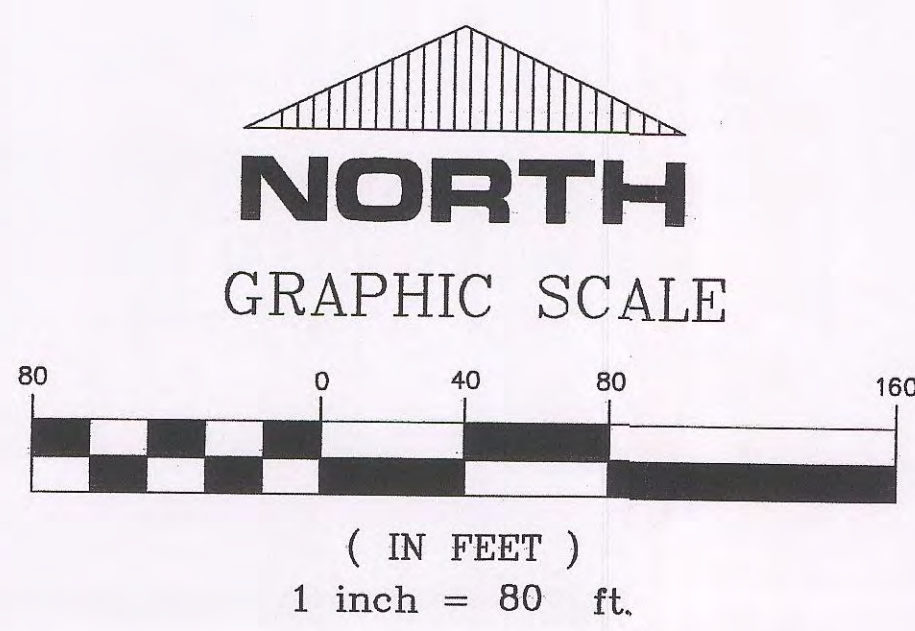
You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 6910-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

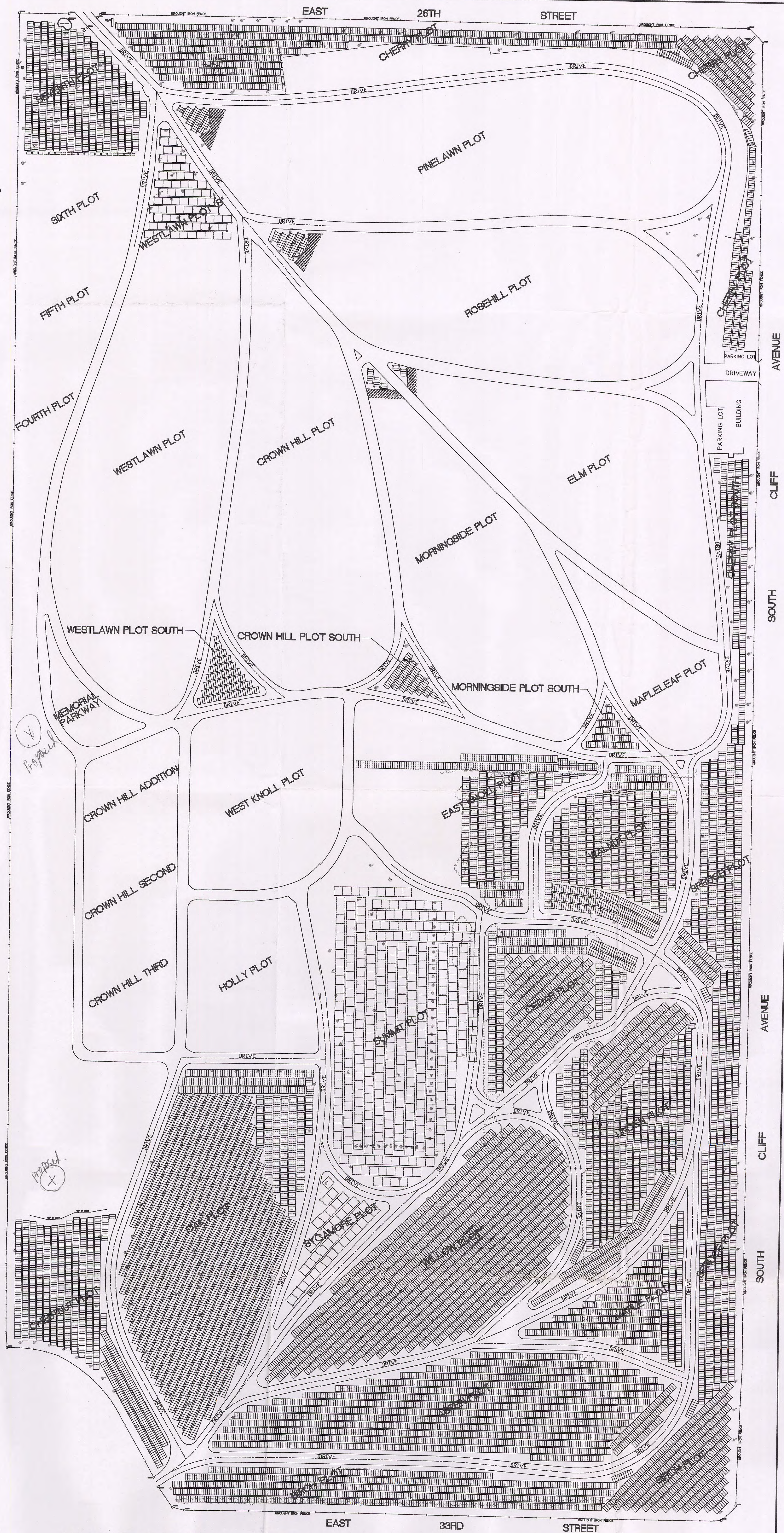
Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



LEGEND
SET IRON PIN - ●
SET ALUMINUM CAP - ○
TREE AND SIZE - @"



PREPARED BY
DANIEL A. NORMAN
2317 WOODBINE LANE
SIOUX FALLS, SOUTH DAKOTA
PHONE: 605-336-8078 57193-4331

**WOODLAWN CEMETERY ADDITION TO THE
CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA**