

WATER PERMIT NO. 7174-3

Name of Applicant: **The Truck Washout**

Address: **1000 E 54th St N, Sioux Falls SD 57104**

Phone: **605 339-0939**

Amount of Water Claimed: **0.78 cfs**

Total Acres: **NA**

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

Water to be used for: **commercial**

County: **Minnehaha**

Type of Waste Disposal System:

Location: **within Sioux Falls city limits**

PRIORITY

Date Received: **12-7-09**

Application/License Fee: **\$700**

Corrected Application Received: **12-28-09**

Period of Annual Use: **Jan 1 – Dec 31**

Remarks:

Diversion Point: **SE ¼ NE ¼ Sec 33-T102N-R49W**

Land to be Irrigated: **NA**

Depth of Well: **60 feet**

Well Driller: **Dave Putzke Well Drilling**

Remarks:

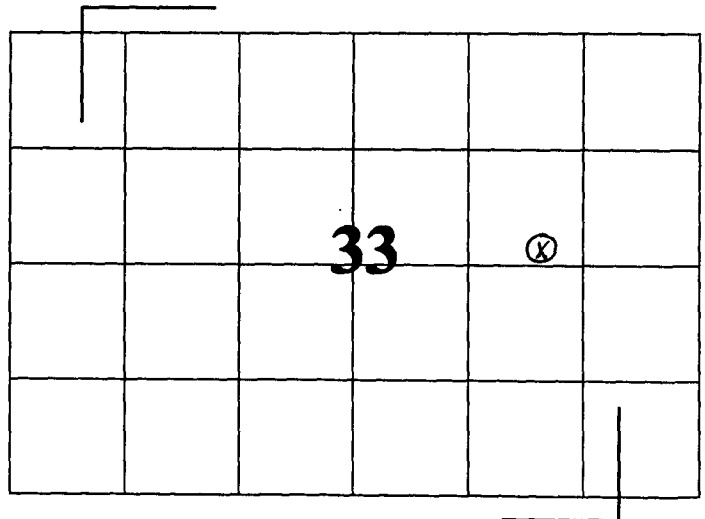
Type of Map: **aerial**

Prepared by: **Jim Lockwood**

Reviewed and the Number Assigned on: **12-29-09**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



SD EForm - 1585 V3
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>7174-3</u>	(office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Argus Leader</u>	

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DEC - 7 2009
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.)

- Name of Applicant The Truck Washout Phone (605) 339-0939
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 1000 e 54th Street North Sioux Falls State SD 57104
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.78 *CFS or 350 **GPM 60 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County MA
Bensons T33-102-49 NE, W300.27ft. tract 14 West 300.27ft. Minnehaha County
(SE 1/4 NE 1/4) Sec 33 T102N R49W
- County or counties where water will be used Minnehaha county
- Annual period during which water is to be used Annually 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)

The Truck Washout is a livestock trailer washing facility. We washout the inside of cattle and hog trailer. We currently use the City of Sioux Falls water and sewer systems. We would continue to use the City of Sioux Falls sewer but would like to have our own well to cut expenses. We currently use around 1.3 to 1.5 million gallons of water monthly.

STATE OF SOUTH DAKOTA)

County of Minnehaha

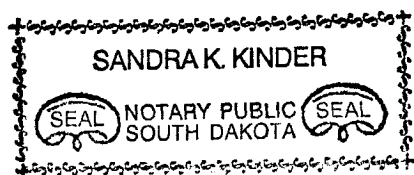
SS

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, The Truck Washout Tyler Pickard, 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 Tyler Pickard

Subscribed and sworn to before me this 4 day of December 2009



Notary Public signature Sandra Kinder

exp 7/13/2010

**SOUTH DAKOTA
WATER PERMIT NO. 7174-3**

Date of first receipt of application December 7, 2009.

Date of return to applicant for corrections, amendments or changes December 7, 2009.

Date of receipt of corrected application December 28, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7174-3 to The Truck Washout, c/o Tyler Pickard, 1000 E 54th St N, Sioux Falls SD 57104 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. 7174-3 appropriates 60 acre feet of water annually at a maximum diversion rate of 0.78 cubic feet of water per second from one well to be completed into the Big Sioux:Sioux Falls Aquifer (approximately 60 feet deep) located in SE 1/4 NE 1/4 Section 33-T102N-R49W.
2. The water appropriated shall be used for the purpose of commercial 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. 7174-3 is May 20, 2010.
5. The date from which applicant may claim right is December 7, 2009.
6. One-fifth of the construction is to be completed on or before November 20, 2012.
7. All construction is to be completed on or before May 20, 2015.
8. Water is to be put to beneficial use on or before May 20, 2019.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. If development and pumping of Sioux Falls Management Unit of the Big Sioux Aquifer water appropriated by this permit results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.
2. The well authorized by Permit Nos. 7174-3 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.

WATER MANAGEMENT BOARD

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

JUN 03 2010
date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- 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 _____ See test well info. puske well drilling
- f) Depth to Water (ground surface to water level) _____ The Truck Washout
- g) Distance to nearest existing domestic well:
On applicants property _____ 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

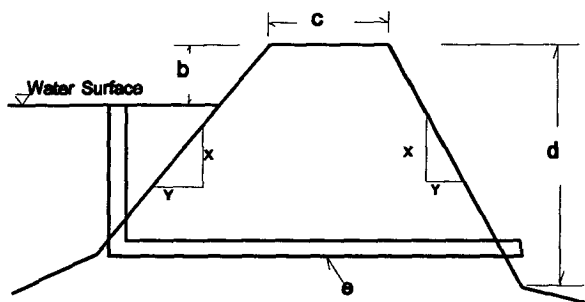
3. Dugout Information

- 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

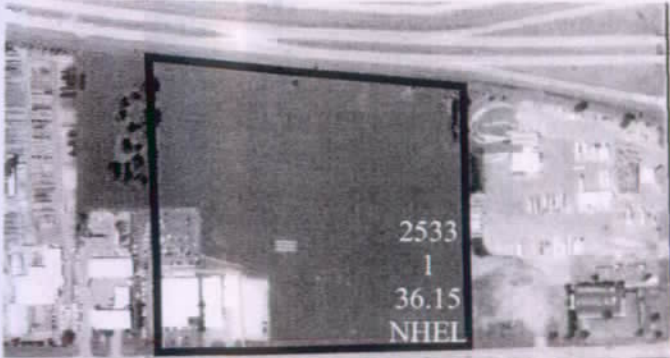


Juni Lockwood Zoning Enforcement Officer



12/23/09

Jim Jackwood Zoning Enforcement Officer

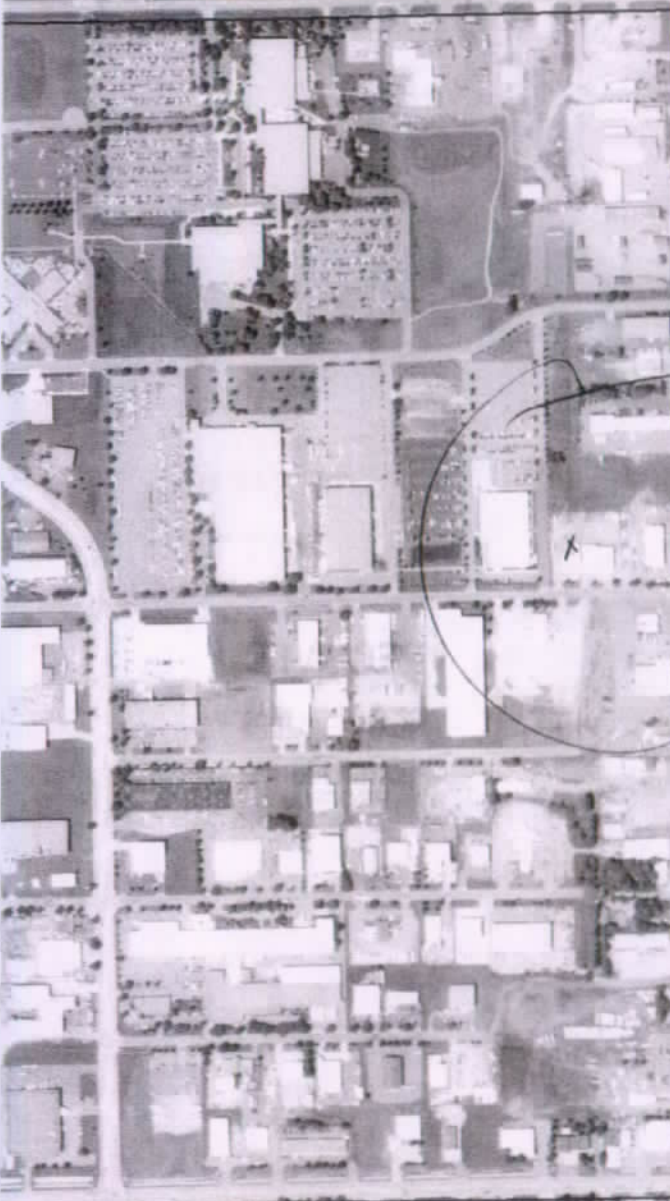


2533
1
36.15
NHSL



12045
6
30.01
NHSL

10355
1
14.75
NHSL



11639
1
23
NHSL

11638
1
4.65





RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/7, 2009

RECEIVED OF Truck Washout LLC 1600 N A Ave Sioux Falls SD 57104

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

Fee for Application for Permit No. <u>7174-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7174-3</u>	200	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	700 00

No. 04200

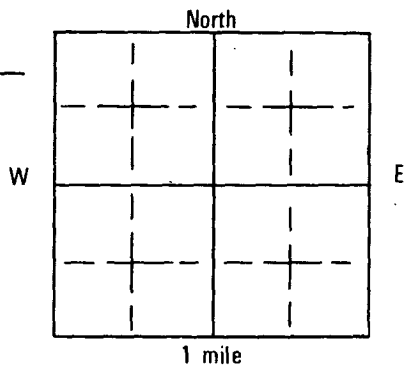
By [Signature]
Chief Engineer

SOUTH DAKOTA WELL AND TEST HOLE PLUGGING REPORT

10-85

Location $\frac{1}{4}$ $\frac{1}{4}$ Sec Twp Rg

County

MinnehahaPlease mark well
location with
an "X"

Well Owner:

Name The Truck WashoutAddress 1000 E. 54th St NorthSiooux Falls S.D 57104Plugging completion Date 11-16-09

CHECK APPROPRIATE BOX

EXISTING WELL

☐

TEST HOLE

☒Well depth Casing material Casing size(s) Casing condition Hole depth 60'Hole size 6"

0-2 TOP SO. l

2-13 yellow clay

13-25 Fine Sand

25-45 Coarse Gravel

45-60 Blue clay

Describe plugging procedure: Run trierz line to bottom of Hole

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PROGRAMDescribe grout or plugging material: Drout well - DF 3 bagsType of non-slip plug: This well or test hole was plugged under license # 439 And this report is true and accurate.Drilling firm Dave Putzke well Drilling & repair IncSignature of Licensed Representative Dave PutzkeSignature of Well Owner Date 11-17-09



December 7, 2009

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

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DEC 28 2009

WATER RIGHTS
PROGRAM

The Truck Washout
c/o Tyler Pickard
1000 E 54th St N
Sioux Falls SD 57104

Dear Mr. Pickard:

Thank you for submitting the *Application for a Permit to Appropriate Water* for commercial use at a livestock trailer washing facility. In order to complete the application the following is required.

- Enclosed is the aerial photo map submitted with the application. The map needs to reference a government section corner or quarter corner.
- Also, 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 (i.e. local NRCS office).
- Regarding the well information, the application states Dave Putzke Well Drilling completed the test hole. As of today, we have not received the log from Mr. Putzke.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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
denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7174-3, The Truck Washout**

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. 7174-3, The Truck Washout, c/o Tyler Pickard, 1000 E 54th Street North, Sioux Falls SD 57104.

The Chief Engineer is recommending APPROVAL of Application No. 7174-3 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. If development and pumping of Sioux Falls Management Unit of the Big Sioux Aquifer water appropriated by this permit results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.
2. The well authorized by Permit Nos. 7174-3 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.

See report on application for additional information.

Garland Erbele, Chief Engineer
April 22, 2010

WATER PERMIT APPLICATION NO. 7174-3
THE TRUCK WASHOUT
FEBRUARY 3, 2010

Water Permit Application No. 7174-3 proposes to appropriate 60 acre feet of water annually at a maximum diversion rate of 0.78 cubic feet of water per second from one well to be completed into the Sioux Falls Management Unit of the Big Sioux aquifer (approximately 60 feet deep) located in the SE¼ NE¼ Section 33, T102N-R49W, Minnehaha County. The water will be used for commercial use.

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

AQUIFER CHARACTERISTICS:

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

The Water Rights Program monitors 13 observation wells completed into the Sioux Falls management unit of the Big Sioux aquifer (Water Rights, 2010a). Water Rights' Observation Well MA-80M is the closest observation well to the well site proposed by this application, located approximately three and three-quarter miles northeast of this proposed well location. The hydrograph for the well is shown in figure 1.

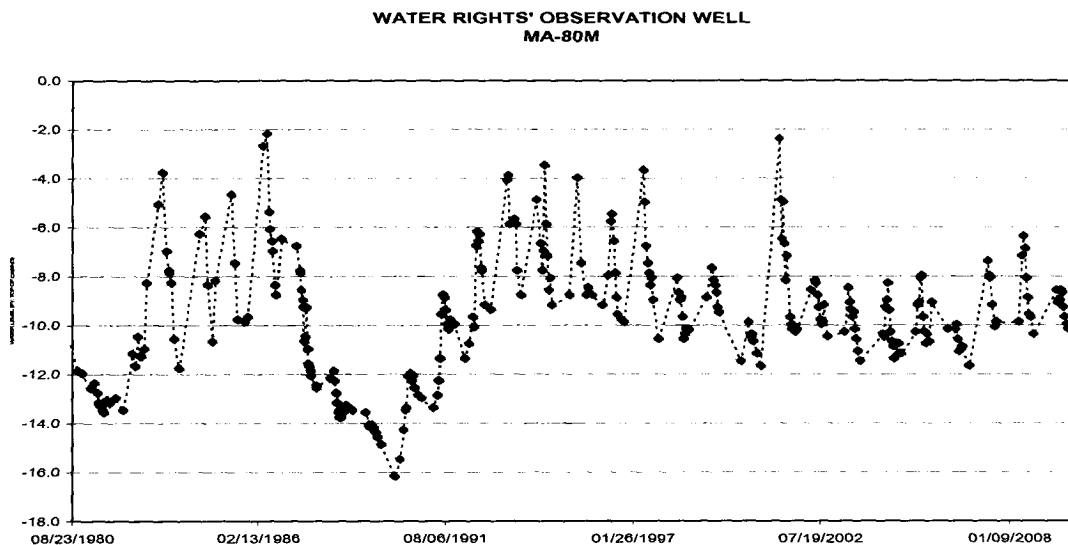


Figure 1. Hydrograph of Water Rights' observation well located approximately three and three-fourths miles from this proposed well site.

In the past the DENR-Water Rights Program monitored MA-57A and MA-80T, located approximately two miles southwest and three miles west respectively, from the well site proposed by Application No. 7174-3. Observation Well MA-57A was destroyed in the fall of 2009 and MA-80T was destroyed in the fall of 2008 but the hydrographs are included for historical purposes (see figures 2 and 3).

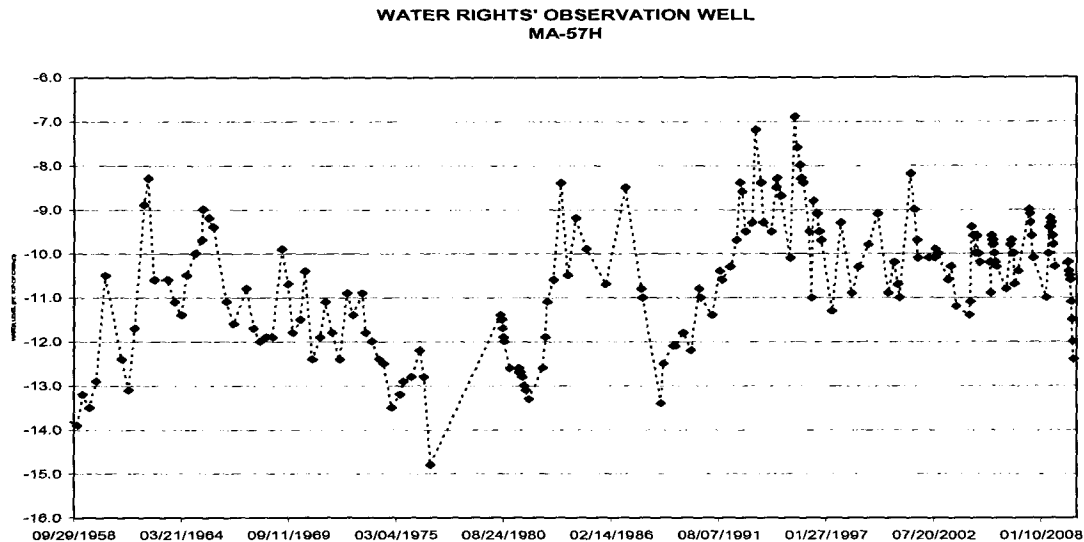


Figure 2. Hydrograph of Water Rights' observation well located approximately two miles from this proposed well site.

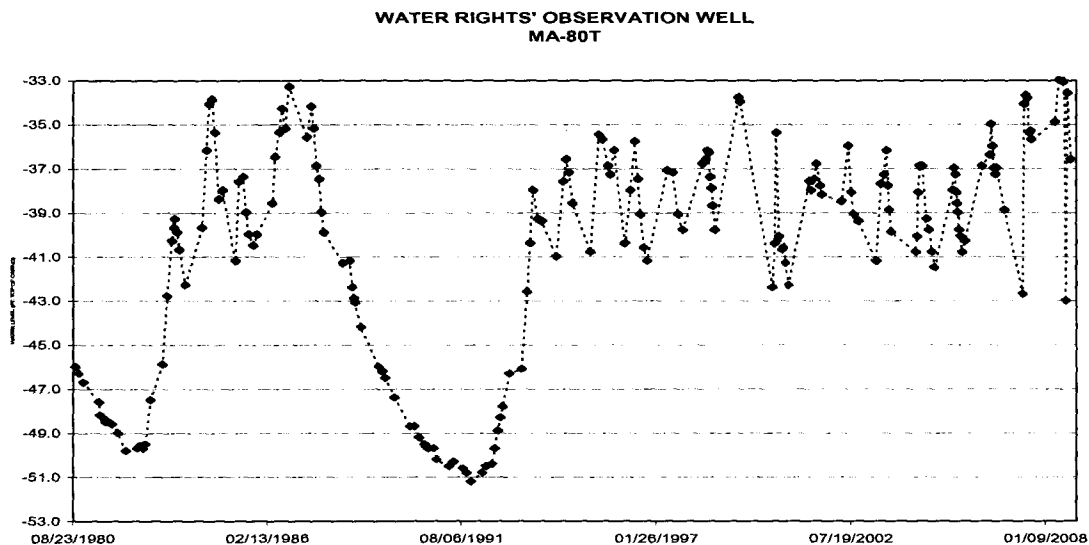


Figure 3. Hydrograph of Water Rights' observation well located approximately three miles from this proposed well site.

Data from the observation wells indicate the water levels rise during the late winter and spring due to recharge, if available. The water level of the aquifer fluctuates rapidly in

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

WATER AVAILABILITY:

This application, if approved will appropriate only a small amount of water (60 acre-feet annually).

Appropriations:

Throughout the history of development, there have been a total of 98 Water Permit Applications made for appropriations from the Sioux Falls Management Unit (Water Rights, 2010b). The majority of these applications were made by the City of Sioux Falls. There have been 40 applications made by others. The status of the applications made by others is shown in table 1.

STATUS	NUMBER
CANCELLED	10
FUTURE USE	3
INCORPORATED	7
LICENSED	12
PERMIT	1
TEMPORARY PERMIT	3
WITHDRAWN	2
TRANSFERRED TO SIOUX FALLS	2

Table 1. Status of Water Permit Applications for water from the Sioux Falls Management Unit of the Big Sioux aquifer made by parties other than the City of Sioux Falls.

There are currently a total of 66 groundwater appropriations from Sioux Falls management unit of the Big Sioux aquifer, including 56 Water Rights, two Water Permits, three Temporary Use Water Permits pursuant to SDCL 46-5-39 and five Future Use Permits. The appropriations that place water to beneficial use are shown in table 2 (Water Rights, 2010b). The Future Use Permits are shown in table 3.

PERMIT NO	NAME	PRIORITY DATE	STATUS	USE	CFS	ACRES
256-3	CITY OF SIOUX FALLS	01/01/1911	LC	MUN	1.11	na
257-3	CITY OF SIOUX FALLS	01/01/1913	LC	MUN	2.67	na
259-3	CITY OF SIOUX FALLS	01/01/1934	LC	MUN	1.33	na
260-3	CITY OF SIOUX FALLS	01/01/1934	LC	MUN	1.33	na
261-3	CITY OF SIOUX FALLS	01/01/1941	LC	MUN	1.33	na
262-3	CITY OF SIOUX FALLS	01/01/1942	LC	MUN	1.55	na
263-3	CITY OF SIOUX FALLS	01/01/1943	LC	MUN	1.55	na
264-3	CITY OF SIOUX FALLS	01/01/1943	LC	MUN	1.55	na
266-3	CITY OF SIOUX FALLS	01/01/1943	LC	MUN	1.55	na
267-3	CITY OF SIOUX FALLS	01/01/1943	LC	MUN	1.55	na
269-3	CITY OF SIOUX FALLS	01/01/1944	LC	MUN	1.78	na
270-3	CITY OF SIOUX FALLS	01/01/1946	LC	MUN	1.67	na
272-3	CITY OF SIOUX FALLS	01/01/1950	LC	MUN	1.44	na
273-3	CITY OF SIOUX FALLS	01/01/1950	LC	MUN	1.67	na
274-3	CITY OF SIOUX FALLS	01/01/1952	LC	MUN	2.00	na
275-3	CITY OF SIOUX FALLS	01/01/1952	LC	MUN	1.78	na
276-3	CITY OF SIOUX FALLS	01/01/1954	LC	MUN	1.78	na
298-3	CITY OF SIOUX FALLS	09/17/1956	LC	MUN	1.78	na
299-3	CITY OF SIOUX FALLS	09/17/1956	LC	MUN	3.12	na
300-3	CITY OF SIOUX FALLS	09/17/1956	LC	MUN	3.21	na
395-3	CITY OF SIOUX FALLS	01/22/1957	LC	MUN	3.12	na
396-3	CITY OF SIOUX FALLS	01/22/1957	LC	MUN	3.12	na
397-3	CITY OF SIOUX FALLS	01/22/1957	LC	MUN	3.12	na
2019-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	3.10	na
2747-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	3.10	na
2886-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	3.10	na
4098-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	1.00	na
4099-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	1.00	na
4100-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	1.00	na
4101-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	1.00	na
4811-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	2.67	na
4812-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	4.01	na
5115-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	5.00	na
6214-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	0.78	na
6215-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	2.22	na
6475-3	CITY OF SIOUX FALLS	04/08/1957	LC	MUN	3.20	na
656-3	CLARENCE MACHMILLER	08/28/1959	LC	IRR	1.14	80.00
1270-3	R C SWEETMAN	02/23/1966	LC	IRR	1.66	116.00
1305-3	CITY OF SIOUX FALLS	09/08/1966	LC	MUN	1.57	na
1306-3	CITY OF SIOUX FALLS	09/08/1966	LC	MUN	6.20	na
1347-3	CITY OF SIOUX FALLS	01/10/1967	LC	MUN	7.75	na
6162-3	LINCOLN COUNTY RWS	11/23/1970	LC	RWS	1.63	na
2018-3	CITY OF SIOUX FALLS	10/01/1973	LC	MUN	3.10	na
2047A-3	CITY OF SIOUX FALLS	02/13/1974	PE	MUN	1.44	na

2244-3	CITY OF SIOUX FALLS	04/08/1975	LC	IRR	1.33	123.00
4034-3	E M SWEETMAN	05/13/1977	LC	IRR	4.57	327.00
4232-3	CITY OF SIOUX FALLS	02/13/1978	LC	IRR	0.71	50.00
4620-3	CLIMATE SYSTEMS INC	09/30/1981	LC	GEO	0.40	1.25
4843-3	KOA KAMPGROUNDS OF SIOUX FALLS	12/16/1981	LC	COM	0.15	na
4880-3	HENRY CARLSON	03/12/1982	LC	GEO	0.06	na
5019-3	MIDWEST LAWN CARE CORP	04/27/1984	LC	COM	0.23	na
5127A-3	CITY OF SIOUX FALLS	07/16/1987	LC	MUN	5.50	na
5681-3	ST MICHAEL CEMETERY	09/25/1987	LC	COM	0.06	na
5556-3	ELMWOOD GOLF COURSE	03/21/1991	LC	IRR	2.13	238.00
5710-3	CITY OF SIOUX FALLS	09/04/1992	LC	MUN	8.47	na
5966-3	MICHAEL G WILLIAMS	11/06/1996	TPE	IRR	1.56	118.50
5967-3	MICHAEL G WILLIAMS	11/06/1996	TPE	IRR	1.50	105.30
6008-3	HERMAN BRENDE	06/06/1997	TPE	IRR	1.00	69.00
6164-3	MINNEHAHA COMM WATER CORP	01/05/2000	LC	RWS	9.08	na
6612-3	DEAN FOODS/LAND O LAKES MILK	03/10/2005	LC	IRR	0.03	0.30
6719-3	SD AIR NATIONAL GUARD	05/08/2006	PE	GEO	0.17	na
LC= Water Right, PE=Water Permit, TPE= Temporary Use Permit, MUN= Municipal, IRR= Irrigation, RWS= Rural Water System, GEO= Geothermal, COM= Commercial,						

Table 2. Water Rights and Water Permits placing water to beneficial use from the Sioux Falls Management Unit of the Big Sioux aquifer.

Future Use Permit No.	Name	Undeveloped portion remaining (ac-ft/yr)
448-3	City of Sioux Falls	3,842
5523-3	City of Sioux Falls	4,050
4838-4	MCWC	See 4838A-3
4838A-3	MCWC	33
5716-3	MCWC	750
TOTAL= 8,675		

Table 3. Future use reservations from the Sioux Falls Management Unit of the Big Sioux aquifer.

Water Use:

Although there are a number of water rights/permits appropriating water from the Sioux Falls Management Unit, historically the average annual use has been less than 15% of the maximum that could be pumped. Average annual pumpage (total) from the unit was estimated in 1983 to be 17,370 acre-feet per year (Hedges, 1983). The average daily use (total) from the aquifer was estimated in 1989 to be 20.0 MGD (22,627 ac-ft/yr), (Barari, 1989). Reported withdrawals in acre-feet annually from the Sioux Falls Management Unit by appropriative users are shown in Table 4.

	City of Sioux Falls (ac-ft/yr)	MCWC (ac-ft/yr)	Irrigation (ac-ft/yr)	TOTAL (ac-ft/yr)
1990	17,788	1,253	473	19,514
1991	10,257	1,400	409	12,066
1992	12,334	1,458	160	13,952
1993	9,956	1,489	124	11,569
1994	10,597	1,722	253	12,572
1995	8,211	1,752	240	10,203
1996	10,586	1,967	246	12,799
1997	12,382	1,841	467	14,690
1998	11,647	1,967	294	13,908
1999	11,507	2,098	414	14,019
2000	9,014	2,219	494	11,727
2001	12,873	2,314	359	15,546
2002	6,788	2,405	459	9,652
2003	11,402	2,630	440	14,472
2004	12,284	2,636	421	15,341
2005	16,712	2,661	473	19,847
2006	17,540	2,888	374	20,802
2007	14,992	2,722	341	18,055
2008	13,113	2,725	331	16,169
2009	16,713	2,552	NA*	19,265*
max	17,788	2,888	494*	21,170*
min	6,788	1,253	124*	8,165*
ave	12,335	2,135	356*	14,826*
* 2009 Irrigation reports not available				

Table 4. Water Use Reported from the Sioux Falls Management Unit (Buhler, 2005), (Water Rights, 1990-2009), (Water Rights, 1990-2010)

1991 Declaratory ruling:

On November 14, 1991, through a declaratory ruling, the Water Management Board (Board) established a limitation on the annual withdrawals due to pumping by Water Permit/Right holders from the Sioux Falls Management Unit of 32,200 acre-feet per year (ac-ft/yr) (Water Rights, 1992).

Water use from the Sioux Falls Management Unit in the future will be limited to a total withdrawal of 32,200 ac-ft/yr. When this limit is approached, water use will be restricted on a priority basis until withdrawals do not exceed 32,200 ac-ft/yr. The practical effect of the 32,200 ac-ft/yr limit allows for management of the aquifer, and on a priority basis

if necessary. If pumping from the management unit exceeds 32,200 ac-ft/yr, junior water right holders will have to limit their pumping.

The water reserved by future use permits must be considered fully developable. Therefore, the likely average amount of water that could be withdrawn annually by Water Permit/Right holders, the combination of average annual water use (see table 4) and the total future use reservation (see table 3), is 23,501 ac-ft/yr. The maximum annual withdrawal by Water Permit/Right holders, (i.e., the combination of maximum annual water use (see table 4) and the total future use reservation (see table 3)), is 29,845 ac-ft/yr. The increased use proposed by this application will not cause withdrawals from the management unit to exceed 32,200 ac-ft/yr.

Temporary Use Permits:

On June 28, 1957 the Water Rights Commission (now known as the Water Management Board) approved Future Use Permit No. 448-3. This permit reserved 46.8 cfs from the Sioux Falls Management Unit for future use by the City of Sioux Falls. Currently, 3,842 ac-ft/yr remains reserved by this permit from a future use area shown in figure 4. Eleven previous applications have been filed by other parties to appropriate water from within the area specified by Future Use Permit No. 448-3. They are shown in table 5.

PERMIT NO.	NAME	PRIORITY DATE
656-3	CLARENCE MACHMILLER	08/28/1959
1270-3	R C SWEETMAN	02/23/1966
1271-3	E M SWEETMAN	02/23/1966
1790-3	LINCOLN COUNTY RWS	11/23/1970
1968-3	GENE WILLIAMS	na
2047-3	VAL K. BECKMAN, MIDWAY FARMS, INC	02/13/1974
2244-3	DALE SWARTZ	04/08/1975
4034-3	E M SWEETMAN	05/13/1977
5966-3	MICHAEL G WILLIAMS	11/06/1996
5967-3	MICHAEL G WILLIAMS	11/06/1996
6008-3	HERMAN BRENDE	06/06/1997

Table 5. Water Permit Applications made by others for diversion points within the area defined by Future Use 448-1.

Pursuant to SDCL 46-5-39, these applications (with the exceptions of Application No. 1968-3 and Application No. 1790-3), were approved as temporary use permits and contain the following qualification:

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

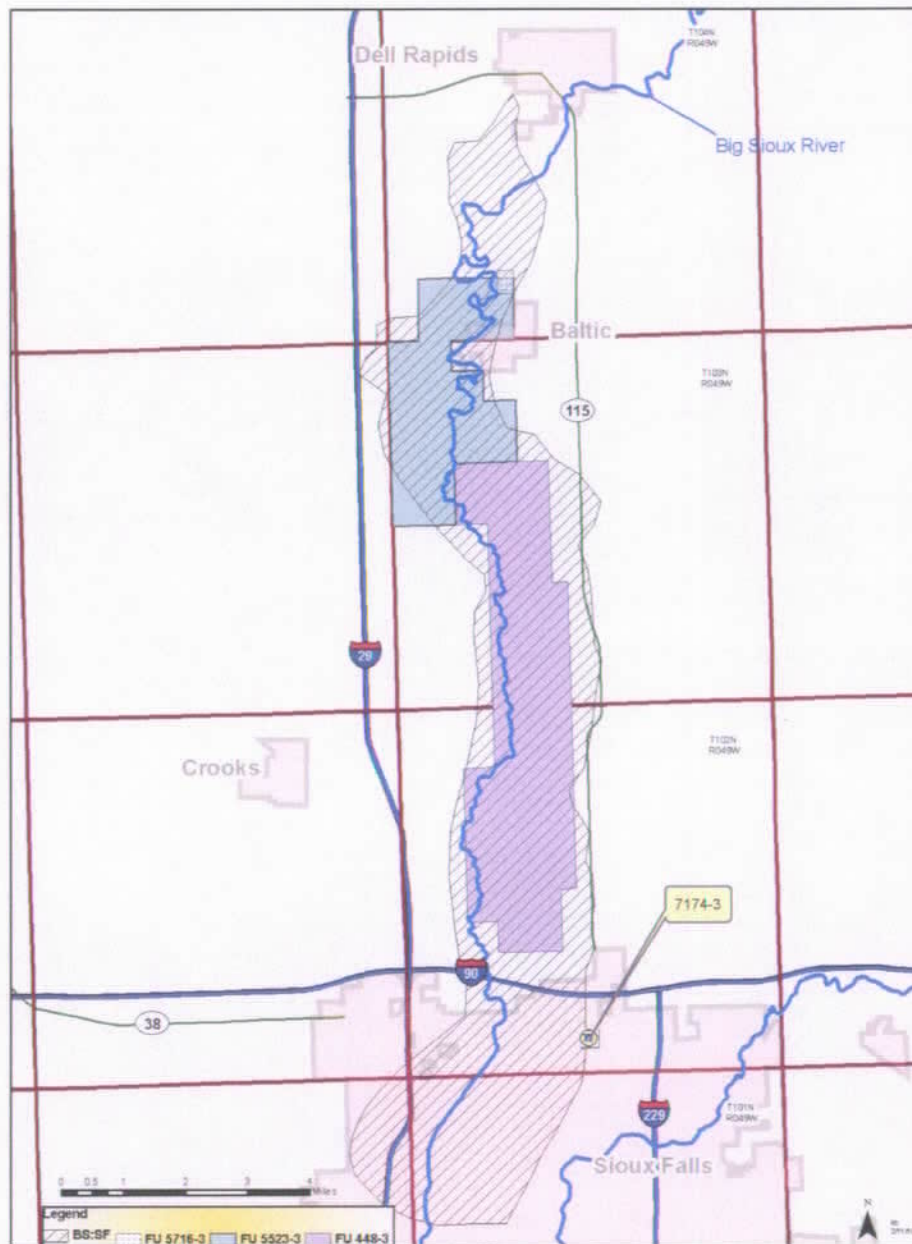


Figure 4. Area of the Sioux Falls Management Unit, location of Future Use areas, and location of the diversion point proposed by Application No. 7174-3.

SDCL 46-5-39 allows the Water Management Board to authorize a temporary appropriation of the water from the unused portion of a future use permit; however, SDCL 46-5-40 states that the temporary use permit would be effective only until such time as the future use holder wants to use the water covered by the temporary permit.

The temporary use permit holder would then be given six months notice and his permit would be canceled at the end of six months.

The idea behind temporary use permits is to place water that is reserved by future use permits to beneficial use until the future use permit holder develops.

On January 22, 1975, the Water Rights Commission considered Application No. 1968-3, Gene Williams. The application proposed to appropriate 4.72 cfs from three wells completed into the Sioux Falls Management Unit to irrigate 333 acres. The proposed wells were to be located within the area specified by Future Use No. 448-3 and the Commission considered approving the application as a temporary use permit.

The Commission discussed potential problems for the Sioux Falls well field operation even with the issuance of temporary use permits from the Sioux Falls Management Unit. Some of the variables the city must contend with in managing its well field (and presumably the entire management unit), were discussed. These variables included: recharge; water in storage in the aquifer; and how does a junior appropriator "control his withdrawals so there is not a reduction of needed water supplies for senior water rights". The Commission deferred action on Application No. 1968-3 and directed the Commission staff to "conduct a study of the future use statutes and give consideration to the time limitation involved."

On May 22, 1975, the Commission considered Water Permit Application No. 2244-3. One of the three wells proposed by Application No. 2244-3 was within the area specified in Future Use Permit No. 448-3 and the application was approved as a Temporary Use Permit. Water Permit Application No. 1968-3 remained in a deferred status.

Water Permit No. 1790-3 authorized the City of Sioux Falls to supply water, from its well field, to Lincoln County Rural Water System. The application was not approved as a temporary use permit.

Temporary Use Permit No. 2047-3 and Water Right No. 2244-3 have been transferred to the City of Sioux Falls. Therefore the condition on the permits that they are subject to Sioux Falls' prior rights, if or when the city develops the reserved water supply, becomes a moot point. The water rights should be assigned the priority date of Future Use Permit No. 448-3 (April 8, 1957), and the appropriate volume associated with the appropriations (378 ac-ft/yr, 369 ac-ft/yr respectively) should be deducted from the amount of water remaining reserved by 448-3.

Water Permit No. 2047A-3 changed the use of the well authorized by Water Permit No. 2047-3 from irrigation to municipal and retained the period of use from May 1 – September 1. It may be appropriate for the City to make application to allow for year-round use of the well authorized by Water Permit No. 2047-3. Water Permit No. 2244-3 authorizes irrigation use and may require an additional permit to change the use from irrigation to municipal.

A number of the Temporary Use Water Permits issued from the Sioux Falls Management Unit have been inspected and licensed (Table 6). Since the water licenses are subject to the limitations or qualifications listed in the associated water permits, the appropriations remain subject to cancellation following six months notice pursuant to SDCL 46-5-40.

TEMPORARY USE PERMIT NO.	DATE LICENSED
656-3	1966
1270-3	1968 Relicensed in 1994
1271-3	1968 Incorporated into 4034-3 in 1994
4034-3	1994

Table 6. Dates Temporary Use Permits were licensed.

The well site proposed by Application No. 7174-3 is not located within the area defined by Future Use Permit No. 448-3. To date, Temporary Use Water Permits in the Sioux Falls Management Unit have only been considered when the application proposes a diversion point located within the area specified by Future Use Permit No. 448-3. In another management unit of the Big Sioux aquifer, i.e., Northern Skunk Creek, the Chief Engineer is recommending approval of water permit application as a Temporary Use Permit even though the proposed diversion point is not within a future use area. The Northern Skunk Creek management unit is fully appropriated whereas the Sioux Falls Management Unit is not fully appropriated at this time.

Appropriations made pursuant to SDCL 46-5-39 will be subject to cancellation, following six month notice, if the city puts all of the water reserved by Future Use Permit No. 448-3 to beneficial use. Cancellation would require the holders of the temporary use appropriations to make application for permits to appropriate any water remaining available from the management unit. Currently, there is approximately 2,355 ac-ft/yr of unappropriated water available from the BS:SF (i.e., the historic maximum withdrawal by current Water Permit/Right holders, plus the total future use reservation is 2,355 less than the 32,200 ac-ft/yr withdrawal limit established for the management unit.) The maximum amount of water that has been used by the temporary use permit holders from 1996-2008 has been about 272 ac-ft/yr, so unappropriated water should be available from the management unit for the holders of any cancelled temporary use appropriation. The appropriations would have junior priority dates.

If the future use permits from the Sioux Falls Management Unit become completely developed, and there is an increase in lawful use of water already under permit (e.g., greater volume withdrawn at currently permitted diversion rate) the annual withdrawals due to pumping by Water Permit/Right holders from the Sioux Falls Management Unit could approach or exceed 32,200 acre-feet per year. If pumping from the management unit exceeds 32,200 ac-ft/yr, junior water right holders will have to limit their pumping.

EFFECTS ON EXISTING WATER RIGHTS

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

Well interference:

The nearest existing Water Right to the site proposed for this well is Water Right No. 300-3, City of Sioux Falls, and it is located approximately 0.86 miles to the west. Any interference caused by this appropriation is not expected to be adverse due to the low diversion rate proposed by this application and the distance involved.

Cumulative affect:

Annual withdrawal limitation:

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

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

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

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

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

CONCLUSIONS:

1. Water Permit Application No. 7174-3 proposes to appropriate 60 ac-ft/yr at a maximum diversion rate of 0.78 cfs.
2. There is a reasonable probability unappropriated water is available from the Sioux Falls Management Unit of the Big Sioux aquifer for this appropriation.
3. There is a reasonable probability this appropriation can be made without adversely affecting existing rights.
4. The appropriation proposed by this application will not cause withdrawals to exceed the annual limitation that was established for the management unit by Board's November 14, 1992 "Declaratory Ruling on Establishment of a Maximum Annual Withdrawal Limitation for the Big Sioux Aquifer: Sioux Falls Management Unit" (32,200 acre-feet per year).
5. Since the Water Management Board's November 14, 1991 "Declaratory Ruling Regarding the Decline of the Water Levels in Private Domestic Wells in the Big Sioux Aquifer: Sioux Falls Management Unit", new appropriations from the management unit have included the following qualification:

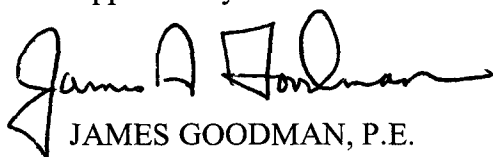
"If development and pumping of Sioux Falls Management Unit of the Big Sioux Aquifer water appropriated by this permit results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04."
6. Water Permit No. 2244-3 authorizes irrigation use and may require an additional permit to change the use from irrigation to municipal.
7. The temporary use permits that have been transferred to Sioux Falls should be deducted from the water remaining reserved by 448-3 (747 ac-ft/yr).
8. Permits may be necessary to authorize year round use of 2244-3 and 2047A-3.



KEN BUHLER

Natural Resources Engineer

Approved by



JAMES GOODMAN, P.E.

Natural Resources Engineer

REFERENCES:

Barari, A., D.Iles, T.Cowman, 1989, Assessment of Water Resources and Conceptual Evaluation of a Regional Water Supply for Southeastern South Dakota, SD Dept. of Environment and Natural Resources, Geological Survey Program, Open-File Report 60-UR, 18 p

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Hedges, L.S., Burch, S., Iles, D., 1983, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 6: Average Annual Water Use by Aquifer, U.S.Army Corps of Engineers Contract DACW 45-80-C-0185

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Water Rights, 2010a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2010b, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

CUSTOMER NUMBER:	078340	Argus Leader
INVOICE NUMBER:	1267855	
P.O. Box 5034, Sioux Falls, S.D. 57117-5034		
RUN DATES	5/3, 5/10, 2010	AMOUNT DUE: \$106.08

Dept of Environment & Natural Resources
Water Rights Program
523 E Capitol Avenue, Joe Foss Building
Pierre, SD 57501

RECEIVED

MAY 12 2010

WATER RIGHTS PROGRAM

*paid by
The Truck
Washout*

DETACH THIS STUB AND RETURN WITH PAYMENT

PAYMENT DUE UPON RECEIPT

AFFIDAVIT OF PUBLICATION-

Customer Number: 078340
Invoice Number: 1267855

Dept of Environment & Natural Resources

NOTICE OF APPLICATION
NO. 7174-3 to Appropriate
Water

Notice is given that The Truck Washout, c/o Tyler Pickard, 1000 E 54th St N, Sioux Falls SD 57104 has filed an application for a water permit to appropriate 60 acre feet of water annually at a maximum diversion rate of 0.78 cubic feet of water per second from one well to be completed into the Big Sioux/Sioux Falls Aquifer (approximately 60 feet deep) located in SE 1/4 NE 1/4 Section 33-T102N-R49W for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7174-3 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 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 May 20, 2010.

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.

Published twice at the total approximate cost of \$106.08.
1267855 May 3 & 10, 2010

Argus Leader AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Linda Schulte 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

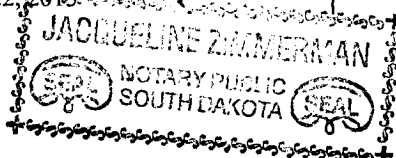
Monday, the 3 day of May 2010,
Monday, the 10 day of May 2010,
_____, the _____ day of _____ 2010,
_____, the _____ day of _____ 2010,
_____, the _____ day of _____ 2010,
_____, the _____ day of _____ 2010,
_____, the _____ day of _____ 2010,

and that \$106.08 was charged for publishing the same

Linda Schulte
Subscribed and sworn to before me 5/10/2010

J. Zimmerman
Notary Public, South Dakota

My Commission expires December 22, 2015





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

April 26, 2010

Argus Leader
PO Box 5034
Sioux Falls SD 57717

ATTENTION: Legal Public Notice

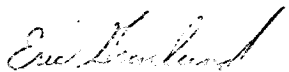
Enclosed is a Notice on Application No. 7174-3 to Appropriate Water to be published twice. Please publish the first notice on May 3, 2010 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 The Truck Washout, c/o Tyler Pickard, 1000 E 54th St N, Sioux Falls SD 57104 (Ph # 605-339-0939).

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. 7174-3

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

Date _____

We are in receipt of your letter of April 26, 2010 enclosing Notice to Appropriate Water by Application No. 7174-3 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
denr.sd.gov

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

April 26, 2010

The Truck Washout
Tyler Pickard
1000 E 57th St N
Sioux Falls SD 57104

Dear Mr. Pickard:

Water Permit Application No. 7174-3 for commercial 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 recommendation of the Chief Engineer and 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
eric.gronlund@state.sd.us

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 May 3, 2010 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7174-3 to Appropriate Water

Notice is given that The Truck Washout, c/o Tyler Pickard, 1000 E 54th St N, Sioux Falls SD 57104 has filed an application for a water permit to appropriate 60 acre feet of water annually at a maximum diversion rate of 0.78 cubic feet of water per second from one well to be completed into the Big Sioux:Sioux Falls Aquifer (approximately 60 feet deep) located in SE ¼ NE ¼ Section 33-T102N-R49W for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7174-3 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 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 May 20, 2010.

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.

Published twice at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
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JUN 03 2010

The Truck Washout
Tyler Pickard
1000 E 54th St N
Sioux Falls SD 57104

Dear Mr. Pickard:

Enclosed is Water Permit No. 7174-3 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

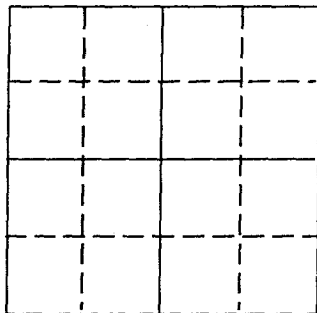
7174-3
11-02

Location NE 1/4 SE 1/4 Sec 33 Twp 102N Rg 419W

County

minnehaha

North



Please mark well location with an "X"

Well completion Date

7-14-2010

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

? ft. from City Sewer (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>250 LB/FT</u>	<u>6 1/8 IN</u>	<u>0 FT</u>	<u>45 FT</u>	<u>11 IN</u>
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Most DP</u>	<u>4</u>	<u>Lb/gal</u>	<u>0 Ft</u>	<u>18 Ft</u>
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 6 1/8 Inches Length 26 Feet

Material Plastic

Slot Size 40 Set From 19 Feet to 45 Feet

Other information Drill pack w/ no 2" pack

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?

☐ No, Why Not?

Lab sample sent to for water quality analysis

5 gallons of chlorine

Well Owner:

Dennis A. Anderson

Business Name:

The Truck Washout

Address1:

1000 East 54th St North

Address2:

S

City, State, Zip:

Sioux Falls SD 57104

WELL LOG:

DEPTH

FORMATION

FROM

TO

Top Soil

0

2

Yellow clay

2

12

Fine sand

12

19

Coarse Gravel

19

45

Blue clay

45

STATIC WATER LEVEL

12

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:

AIR

☐ Bailed

☐ Other

Pumping Level Below Land Surface

30

Ft. After 24

Hrs. pumped

250

GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

RECEIVED

SEP - 7 2010

WATER RIGHTS PROGRAM

This well was drilled under license #

439

And this report is true and accurate.

Drilling firm:

Dave Putzke well Drilling & repair Inc

Signature of License Representative:

Dave Putzke

Signature of Well Owner or Equitable Property Holder:

Date:

OCT - 1 2010

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 9-28-10

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

FROM: The Truck Washout
(name)
1000 E 54th North
(address)
Sioux Falls SD 57104 605-339-0939
(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.

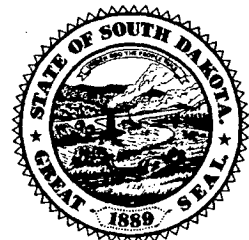
Water Permit No. 7174-3 states that the water use system is to be constructed by
May 20 2015 , and water is to be put to beneficial use by May 20 2019 .
(date) (date)

The water use system was completed on 9-1-10 .
(date)

Applying the water to beneficial use was completed on 9-1-10 .
(date)

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

Tyler Rich
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 1, 2010

7174-3

Tyler Pickard
The Truck Washout
1000 E 54th St N
Sioux Falls SD 57104

Dear Mr. Pickard:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with the water use system authorized under Water Permit no. 7174-3.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

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

Permit No. 7174-3
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 this day, August 16, 2011, made a thorough examination of the water use system constructed by the Truck Washout of 1000 E 54th St. N, Sioux Falls, SD 57104 holder of Permit No. 7174-3, bearing the priority of December 7, 2009 authorizing the diversion of 0.78 cu. ft. per second of the waters of the Big Sioux:Sioux Falls Aquifer for Commercial purposes, in Minnehaha County.

Inspection contact & relationship **Tyler Pickard**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Dave Putzke Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 45 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 6 inches
- 2) Length 19 feet
- 3) Type Plastic

Screen:

- 1) Type Plastic
- 2) Length 26 feet
- 3) Static water level 12 feet

Pump:

- 1) Make Grundfos
- 2) Model 225S
- 3) Capacity 225 GPM

B. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y

Report of Examination of Works

Permit No. 7174-3

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:

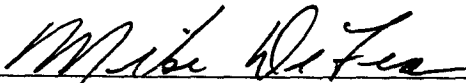
Approximately 2,285 feet south and 595 feet west of the NE corner of Section 33-T102N-R49W
(N 43.59559, W -96.71362) (SE ¼ NE ¼)

The works are capable of diverting and conveying to the place of use 0.50 cu. ft. per second of water (60 acre-feet annually) which is to be used for Commercial use.

The license should be issued for 0.50 cfs.

All structures, wells and lands on map Y

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

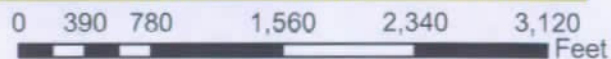


Mike DeFea

Natural Resources Engineer
DENR, Water Rights Program

Date report completed: August 29, 2011

Water Permit No. 7174-3



Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
August 29, 2011



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

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7174-3**

(1) The Truck Washout, 1000 E 54th St N, Sioux Falls SD 57104 made Application No. 7174-3, December 7, 2009 for a water permit to divert up to 60 acre feet of water annually at a maximum diversion rate of 0.78 cubic feet of water per second from ground water (one well – Big Sioux:Sioux Falls Aquifer), Minnehaha County, South Dakota for commercial purposes. Permit No. 7174-3, with a priority date of December 7, 2009 was approved May 20, 2010 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 20, 2015 and for the application to beneficial use of said water on or before May 20, 2019.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on October 1, 2010. The "*Notice*" stated the water use system was completed and water applied to beneficial use on September 1, 2010.

(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 up to 60 acre feet of water annually with a diversion rate of 0.50 cubic feet of water per second for beneficial use.

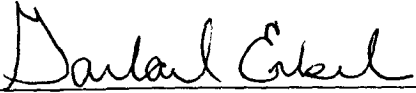
The location of the diversion point is 2,285 feet south and 595 feet west of the NE corner of Section 33, T102N, R49W (SE ¼ NE ¼).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 The Truck Washout, 1000 E 54th St, N, Sioux Falls SD 57104 the holder and/or owner of Water Right No. 7174-3 is issued a license to appropriate water, the right to divert up to 60 acre feet of water annually at a diversion rate of 0.50 cubic feet of water per second from ground water (one well – Big Sioux:Sioux Falls Aquifer) with a priority date of December 7, 2009 from the location specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7174-3 and subject to the following qualifications:

- If development and pumping of the Sioux Falls Management Unit of the Big Sioux Aquifer water appropriated by this permit results in adverse impairment of adequate domestic wells or adequate wells having prior water rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards Chapter 74:02:04.
- The well authorized by Permit No 7174-3 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. *The well was drilled in July, 2010 by Dave Putzke Well Drilling. A copy of the log is on file with the Water Rights Program.*



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

AUG 30 2011
date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

AUG 30 2011

7174-3

Tyler Pickard
The Truck Washout
1000 E 54th St N
Sioux Falls SD 57104

Dear Mr. Pickard:

Enclosed is Water License No. 7174-3. 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. 7174-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures