

WATER PERMIT NO. 8151-3

Name of Applicant: City of Brandon

Address: PO Box 95, Brandon SD 57005 Phone: 605 582-6515

Amount of Water Claimed: 3.34 cfs (1,451 acre-feet annually) Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: municipal County: Minnehaha

Type of Waste Disposal System:

Location: southeast edge of Brandon

PRIORITY Date Received: 5-7-15 Application/License Fee: \$ 2050.

Corrected Application Received: Period of Annual Use: Jan 1 – Dec 31

Remarks: Withdrawn from Future Use Permit No. 6697-3

Diversion Point: NW 1/4 Sec 2-T101N-R48W

Land to be Irrigated: NA

Depth of Well: 423 feet deep

Well Driller: Thein Well Drilling

Remarks:

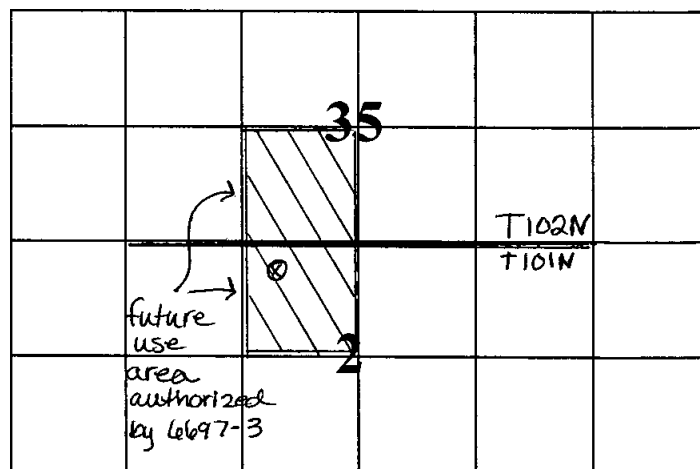
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 5-7-15

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



RECEIVED

MAY 07 2015

WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8151-3</u>	(office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Argus Leader</u>	

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. <u>6697-3</u>		
☐ Amendment/Correction to Permit No. _____		

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

1. Name to Appear on Water Permit City of Brandon(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

(name and complete address if different than above name)

Mailing Address PO Box 95 Brandon SD 57005

(Address)

(City)

(State)

(Zip Code)

Home Phone (605) 582-6515 Cell _____ Email bread@cityofbrandon.org2. Amount of water claimed 3.34 *CFS or 1,500 **GPM 1,451 ***AF

(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Split Rock Creek Aquifer4. Location of point of diversion NW 1/4 of S2-T101-R48. (NW 1/4 NW 1/4) County Minnehaha

(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☐ No

If "Yes," where will water be used? _____

(example - NW 1/4 section 12-T104N-R53W)

5. County or counties where water will be used Minnehaha6. Annual period during which water is to be used All year

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Utilize a portion of future use permit #6697-3 which would provide 3.34 cfs or 1,451 ac-ft at new well #7.

I, City of Brandon, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

**SOUTH DAKOTA
WATER PERMIT NO. 8151-3**

Date of first receipt of application May 7, 2015.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8151-3 to the City of Brandon, PO Box 95, Brandon SD 57005 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. 8151-3 authorized construction and to place to beneficial use 3.34 cubic feet of water per second (1,451 acre-feet annually) from one well to be completed into the Split Rock Creek Aquifer (423 feet deep) located in the NW 1/4 NW 1/4 Section 2-T101N-R48W. This water was appropriated and reserved by Future Use Permit No. 6697-3.
2. The water appropriated shall be used for the purpose of municipal use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 8151-3 is July 27, 2015.
5. The date from which applicant may claim right is January 27, 2006 (established by Future Use Permit No. 6697-3).
6. One-fifth of the construction is to be completed on or before January 27, 2018.
7. All construction is to be completed on or before July 27, 2020.
8. Water is to be put to beneficial use on or before July 27, 2024.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Water Permit No. 8151-3 authorizes a total annual diversion of 1,451 acre feet of water.
3. The City of Brandon shall report to the Chief Engineer annually the amount of water withdrawn from the Split Rock Creek aquifer.

WATER MANAGEMENT BOARD

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

AUG 04 2015
date



Supplemental Information

(type or print)

1. Well Information

(check one or both as applicable) ☐ Drilling new well(s) ☒ Using existing well(s)

a) If new wells, how many _____ Have test holes been drilled ☐ Yes ☐ No Drilled by _____
(if yes, please provide copies of logs)

b) If existing wells, how many 1 Provide copy of log(s), if available. Drilled by Thein Well Co.

c) Well Depth 423' Depth to Top of Water Bearing Material _____ Depth to Water from Surface 28'

d) Distance to nearest existing domestic well:

On applicant's property NA On property owned by others 1,350 ft

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 (e.g. 3 to 1 is a typical slope)

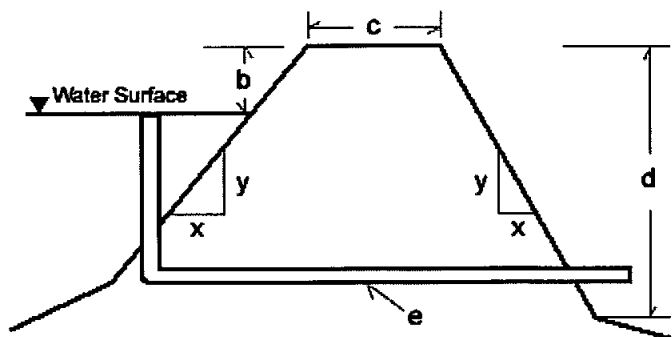
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



SF-SRC Well

Split Rock Creek
Sioux Falls, South Dakota

<u>Formation Log</u>	<u>From</u>	<u>To</u>
Top Soil	0	1
Brown Clay	1	7
Sand & gravel	7	28
Rock	28	
Sand & Clay coarse gravel	28	34
Rock	34	38
Blue Clay	38	54
Sand	54	56
Rock	56	63
Sand	63	76
Blue Clay	76	79
Sand	79	83
Blue Clay	83	93
Rock	93	
Blue Clay	93	105
Black Mud Stone, Hard	105	141
Black Clay	141	147
Mud Stone, Black, Hard	147	163
Shale	163	180
Gravelly sand	180	281
Shale	281	284
Gravelly sand	284	285
Blue Shale	285	290
Black Shale	290	292
Gravelly Sand	292	295
Hard quartz	295	
Quartz sand	295	304
Black Mud Rock-Shale	304	309
Shale	309	325
Quartz Sand w/Shale layers	325	330
Shale, Blue	330	343
Quartz Sand & Shale layers	343	348
Quartz Sand	348	426





New Well #7 | City of Brandon

March, 2015

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MAY 07 2015
WATER RIGHTS
PROGRAM


1" = 2000'


STOCKWELL
ENGINEERS



LEGEND
— - EXISTING FUTURE USE AREA

Future Use Permit 6697-3

City of Brandon

March, 2015

RECEIVED

MAY 07 2015

WATER RIGHTS PROGRAM 1" = 2000'



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/7, 20 15

RECEIVED OF City of Brandon PO Box 95 Brandon SD 57005

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

Fee for Application for Permit No. <u>8151-3</u> to Appropriate Water, to construct and to put water to beneficial use	<u>1350</u>	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>8151-3</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	2050	00

No. 07397

By Jane Goodman
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8151-3, City of Brandon**

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. 8151-3, City of Brandon, c/o Bryan Read, City Administrator, PO Box 95, Brandon SD 57005.

The Chief Engineer is recommending APPROVAL of Application No. 8151-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Water Permit No. 8151-3 authorizes a total annual diversion of 1,451 acre feet of water.
3. The City of Brandon shall report to the Chief Engineer annually the amount of water withdrawn from the Split rock Creek aquifer.

See report on application for additional information.

Jeanne Goodman, Chief Engineer
July 7, 2015

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 8151-3
CITY OF BRANDON
C/O BRYAN READ
JULY 7, 2015

Water Permit Application. No 8151-3 proposes to place 1,451 acre-feet of water annually (ac-ft/yr) reserved by Future Use Permit No. 6697-3 at a diversion rate of 3.34 cubic feet per second (cfs) from one well completed into the Split Rock Creek aquifer. The well is 423 feet deep and located in the NW ¼ NW ¼ Section 2; T101N-R48W in Minnehaha County. Future Use Permit No. 6697-3 reserves 2,148.40 ac-ft/yr from the Split Rock Creek aquifer with a priority date of January 27, 2006. If Application No. 8151-3 is approved, there will be 697.4 ac-ft/yr remaining in reserve under Future Use Permit No. 6697-3. The water will be used to supply the City of Brandon.

AQUIFER: Split Rock Creek (SRKC)

Aquifer Characteristics:

The Split Rock Creek aquifer is predominantly composed of 1 to 5 layers of fine to coarse well-sorted quartzose sand interbedded with 4 to 45 feet thick layers of siltstone, shale, and claystone of the Split Rock Creek Formation (Lindgren and Niehus, 1992). The aquifer underlies approximately 139 square miles of Minnehaha County, primarily in the southeastern portion (Lindgren and Niehus, 1992). Pence (1997) found the Split Rock Creek Formation could range in thickness from a few feet to over 300 feet depending on the surface and the embayments of the Precambrian aged Sioux Quartzite on which it was deposited. The sands that make up the aquifer portion of the Split Rock Creek Formation can be up to 200 feet thick (Pence, 1997). The aquifer is primarily under confined conditions, but unconfined conditions may exist locally. Recharge to the aquifer may come from infiltration of precipitation and inflow from the Sioux Quartzite and the Valley Springs aquifer (Lindgren and Niehus, 1992).

Pence (1997) conducted a seven day aquifer pumping and seven day recovery test of the Split Rock Creek aquifer. The test well was pumped at 1,500 gallons per minute, and several observation wells up to approximately 4.8 miles away were monitored. Transmissivity and storativity were calculated using Theis and Cooper-Jacob time-drawdown and Theis time-residual drawdown methods. The average transmissivity and storativity from the pumping and recovery tests were 8,479.2 feet squared per day and .000755, respectively.

In this area, the top of the Split Rock Creek Formation ranges from approximately 60 to 105 feet below land surface, depending on surface topography (SDGS, 2015), and the aquifer is approximately 200 to 250 feet thick (Pence, 1997). The static water level is approximately 60 to 80 feet below grade. The aquifer is generally under confined conditions in the area of the well site.

A well completion report for a City of Sioux Falls well, which is now owned by the City of Brandon and is the well they intend to use for this project (Read, 2015), was submitted with this

application. The top of the Split Rock Creek Formation is 105 feet below grade. The static water level of the well was 80 below land surface in January, 1995.

South Dakota Codified Law (SDCL) 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for this applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water and effects on existing rights from the aquifer that are pertinent to this application.

WATER AVAILABILITY:

This application proposes to place water reserved under Future Use Permit No. 6697-3 to beneficial use. Since the water has already been appropriated under Future Use Permit No. 6697-3, there is no need to consider the water availability issue. Future Use Permit No. 6697-3 currently reserves 2,148.4 ac-ft/yr. This application proposes to place 1,451 ac-ft/yr of that reservation to beneficial use. If this application is approved Future Use Permit No. 6697-3 will have 697.4 ac-ft/yr left in reservation.

EXISTING WATER RIGHTS:

Figure 1 shows a map of the area with water rights, future use permits, observations wells and the future use area authorized by Future Use Permit No. 6697-3. Table 1 lists the water rights and future use permits shown in Figure 1. Figure 1 shows there are five wells authorized by water rights within approximately one mile of the well site. All of those water rights are held by the City of Brandon as listed in Table 1. The nearest well authorized by a water right not held by the City of Brandon are the wells authorized by Water Permit Nos. 5752-3 and 6469-3, which are both approximately 1.5 miles away from the well site.

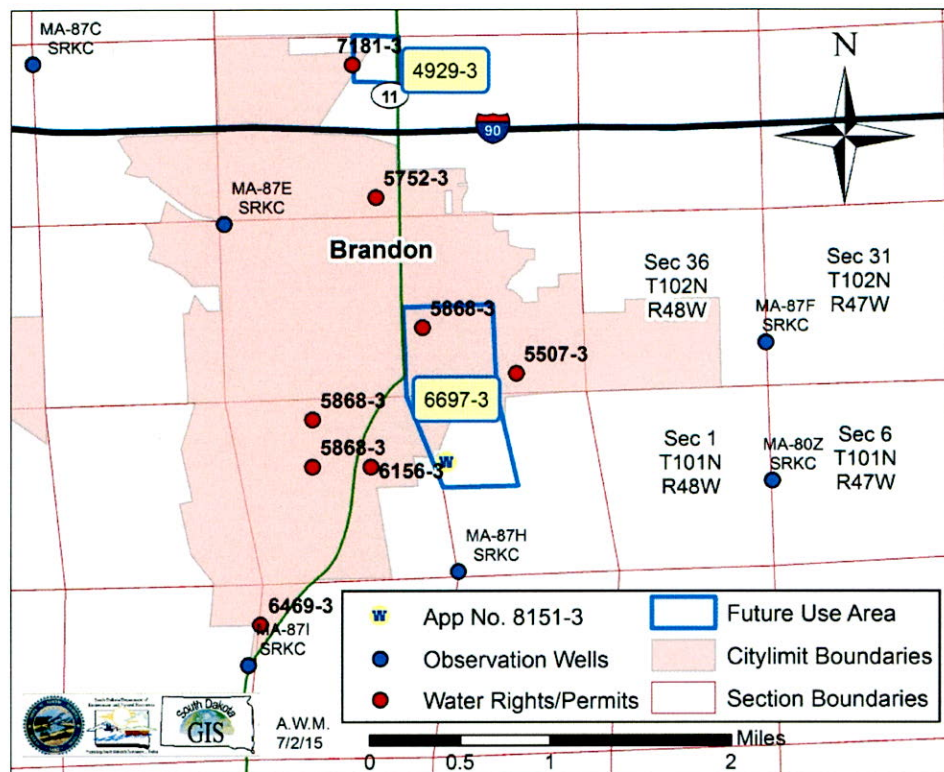


Figure 1- Map of project area with water rights, future use permits, observation wells, and well (Water Rights, 2015a and 2015b)

Permit No.	Name	Status	Use	CFS	Future Use Vol. (ac-ft/yr)
4929-3	Corson Village Sanitary District	FU	SHD		0
5507-3	City of Brandon	LC	MUN	0.05	
5752-3	Brandon Wood Preserving	LC	COM	0.19	
5868-3	City of Brandon	LC	MUN	1.91	
6156-3	City of Brandon	LC	MUN	4.44	
6469-3	Michael D Coughlin	LC	COM	0.1	
6697-3	City of Brandon	FU	RWS		2148.4
7181-3	City of Brandon	LC	MUN		

Table 1- Water rights and future use permits in the area of the well

There has not been a history of the City of Brandon and the neighboring water right holders having interference issues. It is also in the city's interest to manage drawdown in its own wells to maximize capacity and minimize well interference. Pence (1997) conducted aquifer pumping tests throughout the Split Rock Creek aquifer. In the area of the well site, the observation wells reacted quickly to pumping. However even when pumping approximately 1,300 gallons per minute, observation wells within approximately 1.5 miles and some pumping wells still had artesian pressure above the top of the aquifer. Therefore, it is unlikely that pumping this proposed diversion will adversely impact existing appropriative users.

There are domestic wells on file within approximately one mile of the well site that appear to be completed into the Split Rock Creek aquifer (Water Rights, 2015c). At approximately ¼ mile from the well site the expected drawdown caused by one year continuous pumping from the well is 23.22 feet. Considering there is generally up to 40 feet of artesian pressure (25 feet at the well site) and 100 feet or more of saturated thickness, pumping the well is not expected to cause adverse impacts to adequate domestic wells.

Observation wells MA-87H and MA-87I are the nearest observation wells to high capacity production wells. The hydrographs for the observation wells are shown in Figures 2 and 3, respectively. Both hydrographs show the effects of pumping from the aquifer. However, neither hydrograph show significant impacts that would be considered adverse in a domestic well. Therefore, there is a reasonable probability that pumping this proposed diversion will not have an adverse impact on existing adequate domestic wells.

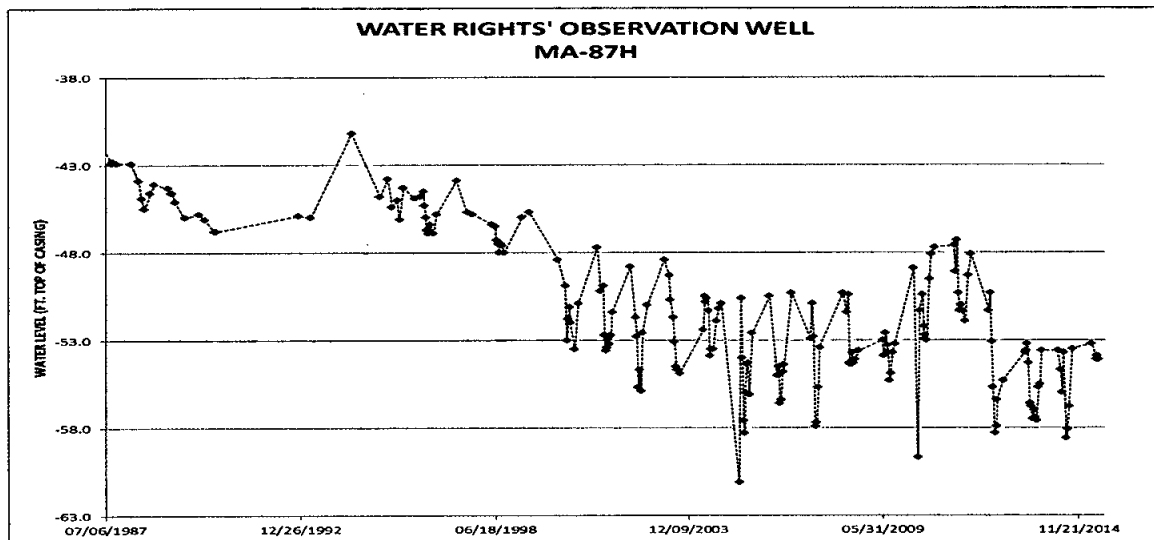


Figure 2- Hydrograph for observation well MA-87H (Water Rights, 2015a)

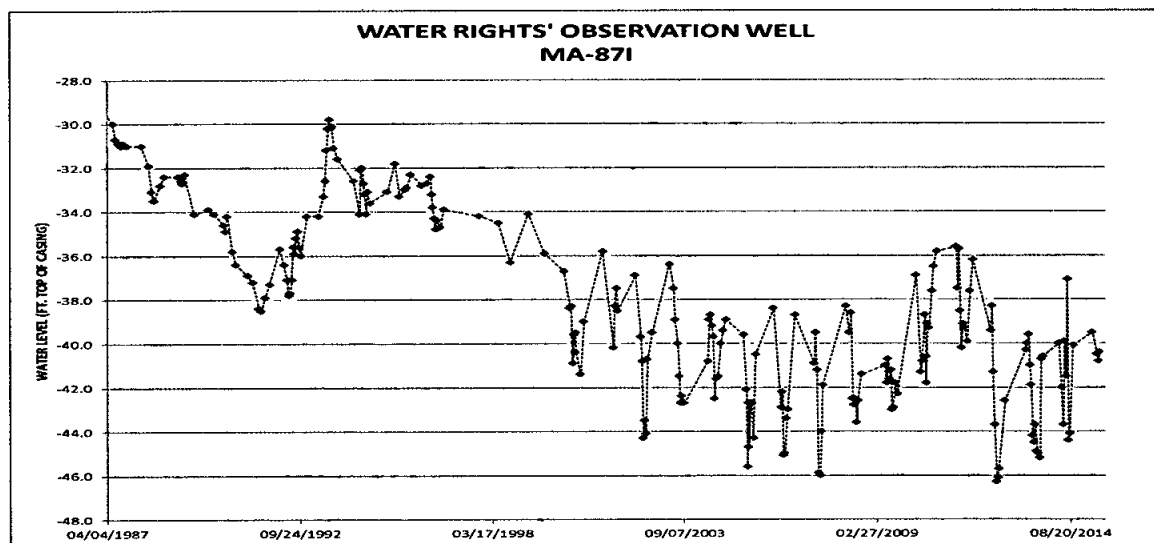


Figure 3- Hydrograph for observation well MA-87I (Water Rights, 2015a)

The Water Management Board defined an “adversely impacted domestic well” in ARSD 74:02:04:20(7) as:

“a well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner’s needs”

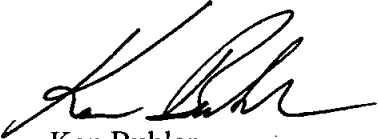
In the past, the Water Management Board has recognized that to place water to maximum beneficial use, a certain amount of drawdown may occur. Since the aquifer is under confined conditions drawdown due to pumping may be significant some distance from the well site. However, based on the aquifer pumping tests done by Pence (1997) and the observation well data there is a reasonable probability that pumping this proposed diversion will not adversely impact existing adequate wells.

CONCLUSIONS:

1. This application proposes to place to beneficial use 1,451 ac-ft/yr reserved by Future Use Permit No. 6697-3 at a maximum diversion rate of 3.34 cfs.
2. If this application is approved, Future Use Permit No. would remain in effect for the reservation of 697.4 ac-ft/yr.
3. The water this application proposes to use has already been appropriated by Future Use Permit No. 6697-3.
4. There is a reasonable probability that the diversion proposed by this application can be made without adversely impact existing appropriative or domestic users.


Adam Mathiowetz, PE
SD DENR-Water Rights Program

Approved by:


Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

Lindgren, R.J. and C.A. Niehus. 1992. Water Resources of Minnehaha County, South Dakota. Water-Resources Investigations Report 91-4101. U.S. Geological Survey: Huron, SD.

Pence, S.F. 1997. Summary of the Split Rock Creek Aquifer Study. Open-File Report 87-UR. SD DENR-Geological Survey. Vermillion, South Dakota.

Read, B. 2015. Phone Conversation. City of Brandon-City Administrator. July 6, 2015.

SDGS. 2015. Lithologic Logs Database. <<http://www.sddenr.net/lithdb/index.cfm>>. Accessed: July 2, 2015. SDDENR-Geological Survey.

Water Rights. 2015a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Water Rights. 2015b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Water Rights. 2015c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

CUSTOMER NUMBER:	127014	Argus Leader	
AD ORDER NUMBER:	1465561		
DATES	7/16, 2015	P.O. Box 5677349, Dallas, TX 75267-7349	\$64.32

Brandon, City of
304 Main Ave
Brandon, SD 57005

RECEIVED
JUL 20 2015
WATER RIGHTS
PROGRAM

DETACH THIS STUB AND RETURN WITH PAYMENT

PAYMENT DUE UPON RECEIPT

Notice of Application No 8151-3

AFFIDAVIT OF PUBLICATION-

Customer Number: 127014

Invoice Number: 1465561

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

Thursday the 16 day of July 2015 ,
the day of 2015 ,
the day of 2015 ,
the day of 2015 ,
the day of 2015 ,
the day of 2015 ,
the day of 2015 ,
the day of 2015 ,

and that \$64.32 was charged for publishing the same

Linda Schulte

Subscribed and sworn to before me 7/16/2015

J. Zimmerman

Notary Public, South Dakota

My Commission expires December 22, 2015

NOTICE OF APPLICATION

NO. 8151-3

Notice is given that City of Brandon, c/o Bryan Reed, City Administrator, PO Box 85, Brandon SD 57005 has filed an application for a water permit to construct and place to beneficial use 3.34 cubic feet of water per second (1,451 acre-feet annually) from one well to be completed into the Split Rock Creek Aquifer (423 feet deep) located in the NW 1/4 NW 1/4 Section 2-T101N-R48W. This water was appropriated and reserved by Future Use Permit No. 6697-3. The water will be used to supply the City of Brandon.

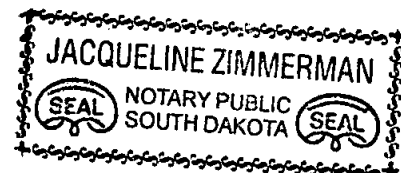
Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8151-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, 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 opposes

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 July 27, 2015.

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 once at the total approximate cost of \$64.32.
1465561 July 16, 2015



Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, July 08, 2015 7:44 AM
To: 'allegals@argusleader.com'
Subject: 8151-3, City of Brandon
Attachments: 8151-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on July 16, 2015.

The City of Brandon, c/o Bryan Read, City Administrator, PO Box 95, Brandon SD 57005 has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak

Water Rights Program
523 E Capitol Ave
Pierre SD 57501
Phone: 605 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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(S) RIGHT AWAY.**

July 8, 2015

City of Brandon
Bryan Read - City Administrator
PO Box 95
Brandon SD 57005

Dear Mr. Read:

Water Permit Application No. 8151-3 for municipal use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Argus Leader printed at Sioux Falls SD (Ph # 605-331-2200). You will need to contact the newspaper(s) 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

NOTICE OF APPLICATION NO. 8151-3

Notice is given that City of Brandon, c/o Bryan Read, City Administrator, PO Box 95, Brandon SD 57005 has filed an application for a water permit to construct and place to beneficial use 3.34 cubic feet of water per second (1,451 acre-feet annually) from one well to be completed into the Split Rock Creek Aquifer (423 feet deep) located in the NW 1/4 NW 1/4 Section 2-T101N-R48W. This water was appropriated and reserved by Future Use Permit No. 6697-3. The water will be used to supply the City of Brandon.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8151-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 July 27, 2015.

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 once at the total approximate cost of _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

AUG 04 2015

City of Brandon
Bryan Read
PO Box 95
Brandon SD 57005

Dear Mr. Read:

Enclosed is Water Permit No. 8151-3 authorizing construction of the 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,

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

enclosures

8151-3

RECEIVED

JUL 30 2020

WATER RIGHTS
PROGRAM

SD EForm - 1311 V1

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

Date 7/27/2020

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

FROM: Bryan Read
(name)
PO Box 95
(address)
Brandon SD 57005 (605) 582-6515
(city, state, zip) (phone)

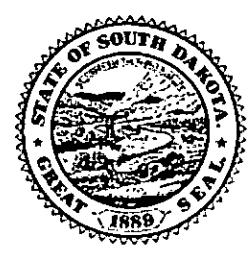
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 8151-3 states that the water use system is to be constructed by 7/27/2020 (date), and water is to be put to beneficial use by 7/27/2024 (date).

The water use system was completed on 1/16/2017 (date).

Applying the water to beneficial use was completed on _____ (date).

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





DENR
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

July 30, 2020

8151-3

Bryan Read, City Administrator
City of Brandon
PO Box 95
Brandon SD 57005 0095

Dear Mr. Read:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know the water use system authorized under Water Permit No. 8151-3 was completed.

The system is 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 8151-3

I have on these days, July 15 & August 3, 2021, made a thorough examination of the water use system constructed by City of Brandon, PO Box 95, Brandon, SD 57005 of Permit No. 8151-3, bearing the priority of January 27, 2006 authorizing the diversion of 3.34 cu. ft. per second of the waters of the Split Rock Creek Aquifer for municipal use purposes, in Minnehaha County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Thein Well Co
- 2) No. of Wells 1
- 3) Depth(s) 423 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 20 & 12 inches
- 2) Length 38 & 305 feet
- 3) Type steel

Screen:

- 1) Type Stainless steel
- 2) Length 80 feet
- 3) Static water level 80 feet

Pump:

- 1) Make NA
- 2) Model NA
- 3) Size NA
- 4) Capacity 1500 GPM (source: City Engineer)

Motor:

- 1) Make NA
- 2) Model No. NA
- 3) Horsepower rating NA hp

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: From the NW corner Sec 2, T101N R48W, 1910 ft S & 920 ft E, Lat 43.58196 Long -96.56824 (SW ¼ NW ¼ Sec 2).
2. The works are capable of diverting and conveying to the place of use 3.34 cu. ft. per second of water which is to be used for municipal use.
3. The license should be issued for 3.34 cfs (see Section F)
4. All structures, wells and lands on map Y

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

The water permit map was constructed using FSA maps and ArcMAP software.

This inspector was told during a visit with the Ms. Tammy Jansma, Brandon City Engineer, on August 3, 2021 that the well (Well #7) had not be used to date but that it was designed to produce 1,500 gpm.

The address and phone number on the review materials are current.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: August 5, 2021

Note:

The priority date for Water Permit No. 8151-3 is January 27, 2006 as established under Future Use Permit No. 6697-3.

Genny



0 0.15 0.3 0.6 0.9 1.2 Miles



Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program

Approval of Location Change and/or Additional Diversion Point(s)

NAME: City of Brandon SD

ADDRESS: Po Box 95, Brandon SD 57005

DATE: August 5, 2021

COUNTY: Minnehaha

GENERAL DESCRIPTION OF AUTHORIZED PROJECT:

The permit holder is authorized to construct one well into the Split Rock Creek Aquifer in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2 T101N-R48W. The authorized diversion rate is 3.34 cfs for municipal use.

AUTHORITY:

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

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

The permit holder developed one well into the Split Rock Creek Aquifer at 3.34 cfs.

- **If irrigation, no new land is irrigated**

For municipal use

- **Review of Existing Diversions**

The ~~two~~ ¹⁸ wells ~~are~~ located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2 T101N-R48W.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Mark D. Rath, Natural Resources Engineer III
Water Rights Program

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

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Eric Gronlund, Chief Engineer
Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

AUG 09 2021

8151-3

Bryan Read, City Administrator
City of Brandon
PO Box 95
Brandon SD 57005-0095

Dear Mr. Read:

Enclosed is Water License No. 8151-3. This is the final water right document completing your process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8151-3**

(1) The City of Brandon, PO Box 95, Brandon SD 57005 made Application No. 8151-3, May 7, 2015 for a water permit to divert 3.34 cubic feet of water per second (1,451 acre feet annually) from ground water, one well (Split Rock Creek Aquifer), Minnehaha County, South Dakota for municipal purposes. Permit No. 8151-3, with a priority date of January 27, 2006 (established under Future Use Permit No. 6697-3) was approved July 27, 2015 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 27, 2020 and for the application to beneficial use of said water on or before July 27, 2024.

The Permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use" on July 30, 2020. The "Notice" stated the water use system was completed on January 16, 2017 and ready for inspection.

The investigation found the authorized well had been drilled outside of the permitted area. Pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01, the Chief Engineer made a finding the change in location of the well did not increase the potential for adverse effects to existing diversions.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.34 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,910'S and 920'E of the NW corner of Section 2, T101N, R48W (SW ¼ NW ¼ Section 2)
Latitude 43.58196, Longitude -96.56824

(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 City of Brandon, PO Box 95, Brandon SD 57005 the holder and/or owner of Water Right No. 8151-3 is issued a license to appropriate water, the right to use 3.34 cubic feet of water per second from ground water, one well (Split Rock Creek Aquifer) with a priority date of January 27, 2006 from the location specified in (2) of this license for municipal purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 8151-3 and subject to the following qualifications:

- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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.
- Water Right No. 8151-3 authorizes a total annual diversion of 1,451 acre feet of water.
- The City of Brandon shall report to the Chief Engineer annually the amount of water withdrawn from the Split Rock Creek Aquifer.


Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

AUG 09 2021
date

