

WATER PERMIT NO. 8207-3

Name of Applicant: John E Steinbauer

Address: 221 Airport Dr, Watertown SD 57201 Phone: 605 882-2156

Amount of Water Claimed: 0.054 cfs Total Acres: NA

Source of Water Supply: groundwater (1 existing well)

Water to be used for: industrial use County: Codington

Type of Waste Disposal System:

Location: within Watertown city limits

PRIORITY Date Received: 3-11-16 Application/License Fee: \$ 100

Corrected Application Received: - Period of Annual Use: January 1 – December 31

Remarks: Increase the diversion rate authorized by Permit No. 7076-3

Diversion Point: SE 1/4 NW 1/4 Sec 23-T117N-
R53W

Land to be Irrigated: NA

Depth of Well: 83 feet deep

Well Driller: Bullis Bros.

Remarks:

Type of Map: aerial

Prepared by: Mark Rath

Reviewed and the Number Assigned on: 3-11-16

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph: (605) 773-3352	No. <u>8207-3</u> (office use only) Hydrologic Unit <u>10170201</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Public Opinion</u>

RECEIVED
MAR 11 2016
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

☐ Municipal	☐ Water Distribution System	☐ Recreational	☐ Institutional
☐ Rural Water System	☐ Commercial	☐ Fish & Wildlife	☐ Geothermal
☐ 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.)

Additional diversion authority to Water Permit No. 7076-3

1. Name to Appear on Water Permit John E Steinbauer
Mailing Address 221 Airport Drive Watertown SD 57201
(Address) (City) (State) (Zip Code)
Phone 605-882-2156 Mobile _____ Email _____

2. Amount of water claimed 0.054 *CFS or 24 add'l **GPM and _____ ***AF or _____ Gallons
Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use)

3. Source of water supply ground water from existing well

4. Location of point of diversion SE 1/4 NW 1/4 Sec 23 T117N-R53W County Codington

(example - 3 wells in SW1/4 NE1/4 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 - NW1/4 section 12-T104N-R53W)

5. County or counties where water will be used _____

6. Annual period during which water is to be used January 1 to December 31

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

Requesting additional diversion authority for ground water to be used for industrial purposes at a manufacturing facility.

I, John Steinbauer VP Manufacturing, the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

SOUTH DAKOTA
WATER PERMIT NO. 8207-3

Date of first receipt of application March 11, 2016.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8207-3 to John E Steinbauer, 221 Airport Drive, Watertown SD 57201 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. 8207-3 appropriates an additional 0.054 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 7076-3. Water Permit No. 7076-3 authorizes 0.166 cfs from one well completed into the Pleistocene Unknown Aquifer (83 feet deep) located in the SE 1/4 NW 1/4 Section 23-T117N-R53W. An investigation of the permit found the system capable of diverting an additional 0.054 cfs from the existing well. This permit and Water Permit No. 7076-3 will authorize a total diversion rate of 0.22 cfs (99 gallons per minute) from the existing well.
2. The water appropriated shall be used for the purpose of industrial use at Dakota Tube 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. 8207-3 is May 31, 2016.
5. The date from which applicant may claim right is March 11, 2016.
6. 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 Permit Nos. 7076-3 and 8207-3 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 Nos. 7076-3 and 8207-3, combined, authorizes a total annual diversion of up to 6.0 acre feet of water annually from the Pleistocene series: Unknown aquifer.
3. The Water Permit Holder shall report to the Chief Engineer annually the amount of water withdrawn from the Pleistocene series: Unknown aquifer.

WATER MANAGEMENT BOARD

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

JUL 15 2016
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 ____ Provide copy of log(s), if available. Drilled by ____

For either Existing or Proposed Wells:

c) Well Depth (required) 83 Depth to Top of Water Bearing Material 74 Depth to Water from Surface 22

d) Distance to nearest domestic well on applicant's property _____ Property owned by others unknown

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 Watertown 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)

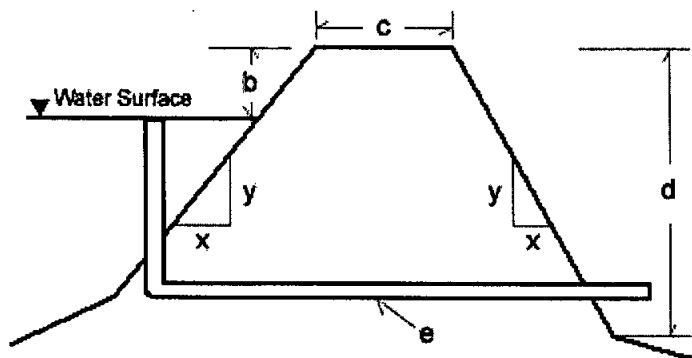
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres





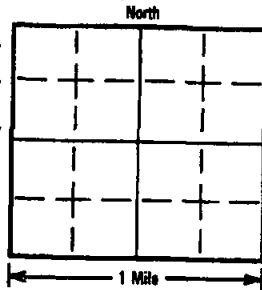
SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW 1/4 NE 1/4 Sec. 23 Twp 117N. Rg. 53W
221 Airport Dr.
 County Codington

Please mark well location with an "X"

SW Corner
of property

Well Completion Date 8-18-95

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? None ft. from None (Identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT SDRAL LB/FT 0.5 IN 0 FT 73 FT 7 3/8 IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN

GROUTING DATA

Grout Type Cement No. of Sacks 11 Grout Weight _____ lb./gal 0 ft. 60 ft.
 _____ lb./gal _____ ft. _____ ft.

Describe grouting procedure Pressure Grouted
Through Tremie pipe

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 5 IN Length 10 FEET

Material PLASTIC

Slot Size 0040 Set From 73 Feet to 83 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION:

Was well disinfected upon completion? YES, How: Chlorine
NO, How: Circulated
before & during
gravel packing

Laboratory sent to for water quality analysis _____

Customer sent in sample

Well Owner: Dakota Tube
 Business Name: Dakota Tube
 Address: 221 Airport Dr.
Watertown, S.D. 57201

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	2
Brown Clay	2	3 1/2
Med To Course yellow Sand	3 1/2	7
Med To Course yellow Sand + Gravel	7	17
Med To Course yellow Sand + Grey Gravel	17	30
yellow Clay (Firm)	30	74
Med To Course yellow Sand + Gravel	74	82
Soft Sandy Grey Clay	82	85 1/2
Soft Grey Clay	85 1/2	87 1/2

STATIC WATER LEVEL 22 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: _____

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

54 ft. After 9 Hrs. pumped 60 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate No pump installed GPM

21 This Time

REMARKS

RECEIVED

MAR 11 2016

WATER RIGHTS
PROGRAM



This well was drilled under license # 4

And this report is true and accurate.

Drilling firm Bullis Bros

Signature of License Representative: Se Coy Bullis

Signature of Well Owner or Equitable Property Holder: David Newman

Date: 8-18-95

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/11, 20 16

RECEIVED OF Dakota Tube 221 Airport Dr Watertown SD 57201

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

Fee for Application for Permit No. <u>8207-3</u> to Appropriate Water, to construct and to put water to beneficial use	100	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	100 00

No. **07786**

By Jane Goodman
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dakota Tube
Attn: Steve Greenfield
221 Airport Dr
Watertown SD 57201

March 4, 2016

Dear Mr. Greenfield:

This letter is in regards to my February 29, 2016 water permit inspection of Permit No. 7076-3. As you indicated during the inspection the well was originally constructed by Bullis Brothers in 1995, but Dakota Tube had Kranz Drilling rehabilitate the well and install a different pump. Permit No. 7076-3 authorizes a diversion rate of 0.166 cfs (75 gpm) but with the new pump, the well produces 0.22 cfs (99 gpm).

As we discussed, you will need to file for a new permit to increase the diversion authority from 75 gpm to 99 gpm. The filing fee for the new permit is \$100. There will not be an inspection fee, since this fee was already paid when Permit No. 7076-3 was applied for. Once the new permit is obtained, the existing permit and new permit will be incorporated and licensed together into a single water right.

The existing permit is under the name John E. Steinbauer. The new permit would need to be applied for under John E. Steinbauer unless you decide to transfer ownership of the original permit to Dakota Tube. The fee for transferring a water permit is \$50. A partially completed water permit application form and transfer of ownership form are attached along with the water permit application instructions. If needed, the online forms are located at:

<http://denr.sd.gov/des/wr/watrightsapps.aspx>

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

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Rath". The signature is stylized with a large, sweeping "M" and a cursive "Rath".

Mark D. Rath
Natural Resources Engineer III
Water Rights Program

Attachments



**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. 8207-3, John E Steinbauer**

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. 8207-3, John E Steinbauer, 221 Airport Drive, Watertown SD 57201.

The Chief Engineer is recommending APPROVAL of Application No. 8207-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under Permit Nos. 7076-3 and 8207-3 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 Nos. 7076-3 and 8207-3, combined, authorizes a total annual diversion of up to 6.0 acre feet of water annually from the Pleistocene series: Unknown aquifer.
3. The Water Permit Holder shall report to the Chief Engineer annually the amount of water withdrawn from the Pleistocene series: Unknown aquifer.

See report on application for additional information.

Jeanne Goodman, Chief Engineer
May 9, 2016

Report to the Chief Engineer
Water Permit Application No. 8207-3
John E. Steinbauer
April 12, 2016

Water Permit Application No. 8207-3 proposes to appropriate 0.054 cubic feet per second (cfs) from one existing well located in the SE ¼ NW ¼ Section 23-T117N-R53W in Codington County. The existing well is 83 feet deep and completed into the Pleistocene series: Unknown aquifer. The existing well is authorized under Water Permit 7076-3 for the appropriation of 0.166 cfs for industrial use at Dakota Tube. This permit, if approved, when used in conjunction with Water Permit No. 7076-3 will authorize a total maximum diversion rate of 0.22 cfs for industrial use at Dakota Tube. This application is the result of a licensing inspection, which indicated that Dakota Tube had the well rehabilitated and a different pump was installed capable of diverting 0.22 cfs. This well was initially authorized for industrial use by Dakota Tube under Water Permit No. 5883-3, which was later cancelled for non-use. The well was again authorized for industrial use by Dakota Tube under Water Permit No. 7076-3.

Aquifer: Pleistocene series: Unknown (PS: U)

Hydrogeology and Aquifer Characteristics

The well completion report for the existing well that this application proposes to utilize reports sand and gravel from 3.5 to 30 feet below grade, clay from 30 to 74 feet below grade, and sand and gravel from 74 to 82 feet below grade. The report indicates that the well is screened in the lower (74 to 82 feet below grade) sand and gravel. The upper sand and gravel is the North management unit of the Big Sioux aquifer and the lower sand and gravel is a Pleistocene series: Unknown aquifer. At this well site the well completion report indicates that two aquifers are separated by approximately 44 feet of clay. The well completion reported the static water level upon completion of this well at 22 feet below grade (08/18/1995) indicating the aquifer is under confined conditions at the well site.

A thorough review was conducted that included lithologic logs on record with the SD DENR Geological Survey Program, well completion reports on file with the SD DENR Water Rights Program, and hydrologic reports published by the SD DENR Geological Survey Program and the US Geological Survey (Water Rights Program, 2016; Geological Survey Program, 2015; Hansen, 1990; Rukstad and Hedges, 1964; Steece, 1958 and Barari, 1971). Using this well site as a starting point other lithological data in the area was examined to estimate an areal extent for this aquifer. Using the area lithologic data a minimum areal extent of 190 acres was estimated for this Pleistocene series: Unknown aquifer, shown in Figure 1 (Water Rights Program, 2016 and Geological Survey Program, 2015). Data was somewhat limited since the majority of area wells are completed into the shallower North management unit of the Big Sioux. There is potential for this aquifer to extend further west than the western border shown in Figure 1, since there was no lithologic data available at the elevation interval of this aquifer between the areal extent shown in

Figure 1 and Lake Kampeska. Available data did not indicate any hydraulic connections between this aquifer and other area aquifers or surface water.

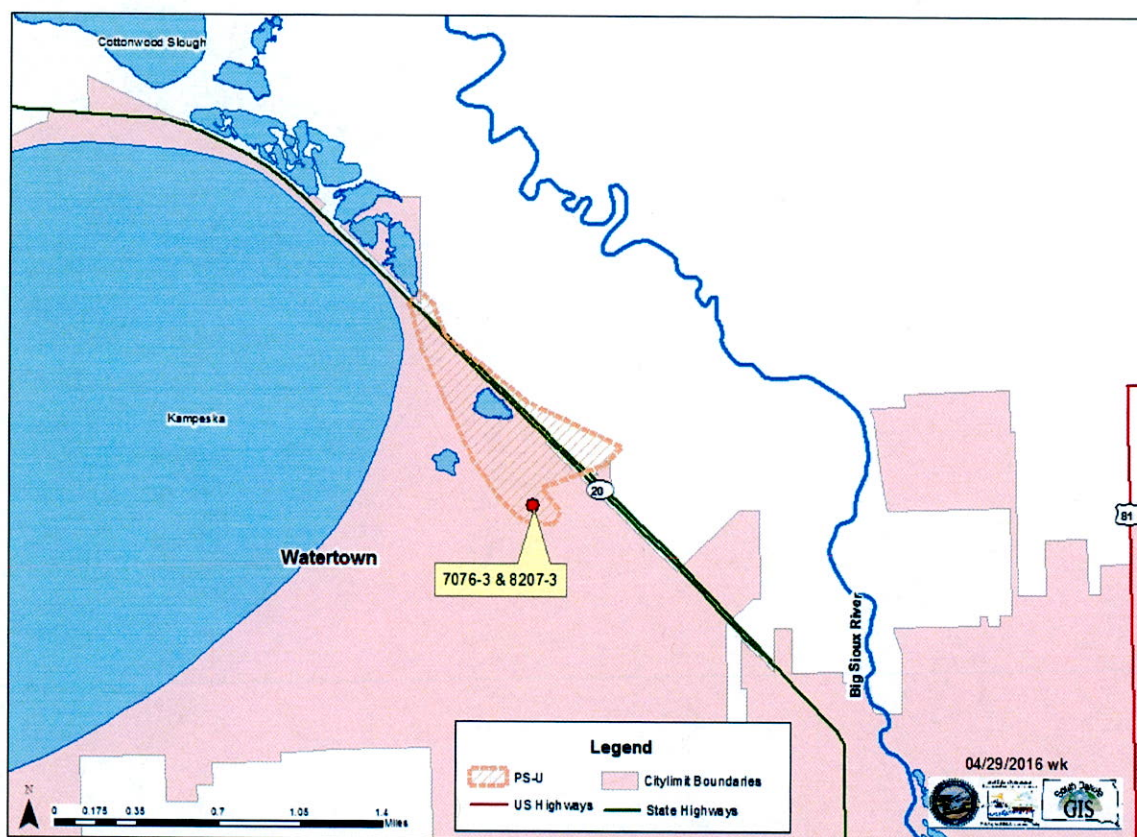


Figure 1: Estimated minimum areal extent of the Pleistocene series: Unknown aquifer that the well for Water Permit Application No. 8207-3 is completed into

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 the 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 existing rights from the aquifer that are pertinent to this application.

Water Availability

Water Permit Application No. 8207-3 proposes to appropriate water from a Pleistocene series: Unknown aquifer for industrial use. The probability of unappropriated water being available from an aquifer can be evaluated by considering SDCL 46-6-3.1 which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a

groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.” If the source of the water is older or lower than the Greenhorn Formation and the application is for a water distribution system defined pursuant to SDCL 46-1-6 (17), the Board need not consider the recharge/withdrawal issue. Here, a water distribution system is not involved and the Pleistocene series: Unknown aquifer is not older or lower than the Greenhorn Formation, therefore the withdrawal/recharge issue must be considered.

Hydraulic Budget

Withdrawals

The only appropriative user in this Pleistocene series: Unknown aquifer is Dakota Tube authorized by Water Permit No. 7076-3. Dakota Tube started using this well again in 2013 (Greenfield, 2016). Water use from the well by Dakota Tube for 2014 and 2015 is shown in Table 1.

Table 1: Well Water Use by Dakota Tube (Greenfield, 2016)

Year	Water Use (gallons)	Water Use (acre-feet)
2014	1,079,000	3.3
2015	1,280,000	3.9
Average	1,179,500	3.6

The Water Rights Program has two domestic water well completion reports on record that are likely completed in this aquifer. Any additional domestic use of this aquifer is likely very limited due to the presence of the shallower North management unit of the Big Sioux and the majority of the areal extent being located within the Watertown City limits. Using data from Carter and Neitzert (2008) self-supplied groundwater users in Codington County use about 71 gallons per capita per day. Assuming families of four are using the two domestic wells domestic use is estimated at about 0.6 acre-feet per year from this aquifer.

Recharge

For confined glacial aquifers, Hedges et al. (1985) recommends utilizing a range of recharge rates from 0.15 to 0.60 inches per year for management and development programs. Hedges et al. (1985) evaluated recharge to confined aquifers using base flow recession analysis, computer modeling, and flow net analysis. The estimate areal extent of this Pleistocene series: Unknown aquifer is at a minimum approximately 190 acres which would result in an average annual recharge ranging from 2.4 to 9.5 acre-feet per year.

Balance

Based on available data the average annual recharge rates are estimated to range from 2.4 to 9.5 acre-feet per year. Estimated average annual withdrawals from this aquifer are about 4.2 acre-feet per year. Therefore there is a reasonable probability that there is water available to

support average annual withdrawals of similar magnitude to the historical use of this aquifer. Therefore an annual diversion rate limit is suggested in the range of 5.5 to 6.5 acre-feet per year (approximately 1,792,180 to 2,118,031 gallons per year) for the combined annual water usage under this permit, if approved, and Water Permit No. 7076-3.

Observation Wells

Administrative Rule 74:02:05:07 requires that, “When regulating water withdrawals by large-capacity wells and in determining the availability of unappropriated water for an application for a permit to appropriate water, the board shall rely upon the record of observation well measurements in addition to other data to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge to the aquifer.” The Water Rights Program does not currently monitor any observation wells in this Pleistocene series: Unknown aquifer. Therefore observation well data can not be utilized as a method to evaluate the availability of unappropriated water.

Existing Users

The only existing water permit in this aquifer is Water Permit No. 7076-3, which belongs to the applicant. There are several water rights/permits for the North management unit of the Big Sioux aquifer in the vicinity of this well, and due to the amount of glacial till (44 feet) separating the two aquifers in the area of this well this diversion is not expected to adversely impact those water rights/permits.

There are a few domestic wells in the area that may be completed into this aquifer; however the majority of domestic wells in the vicinity are completed into the overlying North management unit of the Big Sioux aquifer. Some amount of drawdown as the result of pumping is likely since this is a confined aquifer. However since this well is currently being utilized at the total diversion rate requested by this application and Water Permit No. 7076-3 an increase in amount of drawdown, if any, being experienced by other wells in this aquifer is not expected to occur as long as the average annual use of the well by Dakota Tube does not significantly increase. This well site is located within the Watertown City limits.

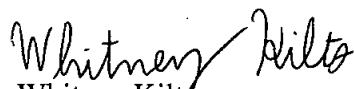
The Water Management Board has promulgated rules that allow water to be placed to maximum beneficial use without the necessity of maintaining artesian head pressure for domestic use. The board has defined an adversely impacted domestic well as “a well in which the pump intake was set at least 20 feet 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 case of Water Permit Application No. 2313-2 for the Coca-Cola Bottling Company of the Black Hills the Water Management Board adopted findings that noted that if the increased costs or decreased production as a result of the impacts of legitimate users on artesian head pressure could be considered an adverse impact it would conflict with SDCL 46-1-4 (Water

Rights, 1995). SDCL 46-1-4 requires the water resources of the state be put to beneficial use to the maximum extent of which they are capable (Water Rights, 1995).

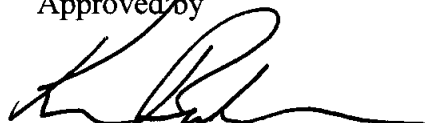
Conclusions

1. Water Permit Application No. 8207-3 proposes to appropriate 0.054 cfs from an existing well located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23-T117N-R53W in Codington County completed into a Pleistocene series: Unknown aquifer.
2. This permit, if approved, when used in conjunction with Water Permit No. 7076-3 will authorize a total maximum diversion rate of 0.22 cfs for industrial use at Dakota Tube.
3. The Water Rights Program does not monitor any observation wells in this Pleistocene series: Unknown aquifer.
4. There is a reasonable probability that water is available on an average annual basis to support future water utilization by the applicant at the annual volumes similar to their historic use under Water Permit No. 7076-3.
5. This permit, if approved, is not expected to adversely impact existing water rights/permits with adequate wells.
6. An annual diversion rate limit in the range of 5.5 to 6.5 acre-feet per year is suggested for this application for the combined annual water usage under this permit, if approved, and Water Permit No. 7076-3.


Whitney Kilts

SDDENR-Water Rights Program

Approved by


Ken Buhler

SDDENR-Water Rights Program

References

- Barari, A. 1971. Hydrology of Lake Kampeska. Report of Investigations No. 103. SDGS. Vermillion, SD.
- Carter, J.M. and Neitzert, K.M. 2008. Estimated Use of Water in South Dakota, 2005. Scientific Investigations Report 2008-5216. USGS. Reston, Virginia.
- Hansen, D. 1990. Water Resources of Codington and Grant Counties, South Dakota. Water-Resources Investigations Report 89-4147. USGS. Huron, SD.
- Hedges, L.S., Allen, J. and Holly, D.E. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota, and Iowa. Task 7: Ground-Water Recharge. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Geological Survey Program. 2015. *Lithologic logs database*: South Dakota Department of Environment and Natural Resources. <http://cf.sddenr.net/lithdb/>. Retrieved April 2016.
- Greenfield, S. 2016. Dakota Tube. Personal Communication. May 2, 2016.
- Rukstad, L. and Hedges, L. 1964. Water Supply for the City of Watertown, South Dakota. Special Report 28. SDGS. Vermillion, SD.
- Steece, F. 1958. Geology and Shallow Ground Water Resources of the Watertown-Estelline Area, South Dakota. Report of Investigations No. 85. SDGS. Vermillion, SD.
- Water Rights. 1995. Water Rights File No. 2313-2 Coca-Cola Bottling Company of the Black Hills. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2008. Water Rights File No. 7076-3 John Steinbauer. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2016a. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2016b. Water Rights Program Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights Program. 2016. Well Completion Reports Database South Dakota Department of Environment and Natural Resources. <http://arcgis.sd.gov/server/denr/wellLogs/default.aspx>. Retrieved April 2016.

RECEIVED

MAY 27 2016

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Codington)

I, Monica K. Saathoff

certify that the attached printed Notice was taken
from the Watertown Public Opinion

printed and published in Watertown

County of Codington and

state of South Dakota. The notice was published

in the newspaper on the following date:

May 18th, 2016;

Cost of Printing 68.75

Monica K Saathoff
(Signature)

Bookkeeper

(Title)

May 18th, 2016

(Date Signed)

DEPARTMENT
OF
ENVIRONMENT
AND NATURAL
RESOURCES

NOTICE OF
APPLICATION NO. 8207-3
to Appropriate Water

Notice is given that John E Steinbauer, 221 Airport Drive, Watertown SD 57201 has filed an application for a water permit to appropriate an additional 0.054 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 7076-3. Water Permit No. 7076-3 authorizes 0.166 cfs from one well completed into the Pleistocene Unknown Aquifer (83 feet deep) located in the SE 1/4 NW 1/4 Section 23-T117N-R53W. An investigation of the permit found the system capable of diverting an additional 0.054 cfs from the existing well for industrial use at Dakota Tube. This application, if approved and Water Permit No. 7076-3 will authorize a total diversion rate of 0.22 cfs (99 gallons per minute) from the existing well.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8207-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 31, 2016.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with

no hearing held before the Water Management Board. 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.

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

Published once at an approximate cost of \$63.74.

(May 18, 2016)

68.75

All legal notices in the Public Opinion and other South Dakota newspapers can be found at www.sdpublishnotices.com



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.**

May 9, 2016

John E Steinbauer
221 Airport Drive
Watertown SD 57201

Dear Mr. Steinbauer:

Water Permit Application No. 8207-3 for industrial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Public Opinion printed at Watertown SD (Ph # 605-886-6901). 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.

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, May 10, 2016 8:22 AM
To: legals@thepublicopinion.com
Subject: 8207-3, John E Steinbauer
Attachments: 8207-3publicnov2015.short1.docx; FORM8.FRM.doc

Attached is a notice to be published on May 18, 2016.

John E Steinbauer, 221 Airport Dr, Watertown SD 57201 (605 882-2156) 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

NOTICE OF APPLICATION NO. 8207-3 to Appropriate Water

Notice is given that John E Steinbauer, 221 Airport Drive, Watertown SD 57201 has filed an application for a water permit to appropriate an additional 0.054 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 7076-3. Water Permit No. 7076-3 authorizes 0.166 cfs from one well completed into the Pleistocene Unknown Aquifer (83 feet deep) located in the SE 1/4 NW 1/4 Section 23-T117N-R53W. An investigation of the permit found the system capable of diverting an additional 0.054 cfs from the existing well for industrial use at Dakota Tube. This application, if approved and Water Permit No. 7076-3 will authorize a total diversion rate of 0.22 cfs (99 gallons per minute) from the existing well.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8207-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 31, 2016.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of_____.

Permit No. 7076-3 & 8207-3
Big Sioux - Water District

Contact Person & Address: **Steve Greenfield, Dakota Tube, 221 Airport Dr, Watertown SD 57201**

Report of Examination of Works

On, **February 29, 2016**, I made a thorough examination of the water use system constructed by **John E. Steinbauer** holder of Permit No. **7076-3**, bearing the priority of **October 16, 2008** authorizing the diversion of **0.166** cu. ft. per second and Permit No. **8207-3**, bearing the priority of **March 11, 2016** authorizing the diversion of **0.054** cu. ft. per second of the waters of **ground water (Pleistocene Unknown)** for **industrial** purposes, in **Codington** County.

The system is in the following condition **good**. The point of diversion is located **from the NE corner of Sec 23 T117N-R53W; 2490 feet S & 3050 feet W** with latitude of **44.92706** and a longitude of **-97.15858** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **0.22** cu. ft. per second of water which is to be used for **industrial purposes** and the license should be issued for **0.22** cfs.

Review of Permit Qualifications and Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**
- 3) Exceptions to compliance are: **none**

Report On the Specifics of the System

Diversion Point Information:

Well Information:

- 1) Well Drilling Firm: **Bullis Brothers** available **yes**
- 2) No. of Wells **1**
- 3) Depth(s) **83** feet
- 4) Well log is

Casing:

- 1) Diameter **5** inches
- 2) Length **73** feet
- 3) Type **PVC**

Screen:

- 1) Type **PVC**
- 2) Length **10** feet
- 3) Static water level **22** feet

Pump:

- 1) Make **Franklin**
- 2) Model **Submersible**
- 3) Size **3**
- 4) Capacity **99** GPM

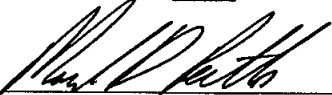
Motor:

- 1) Make **Franklin**
- 2) Model No. **NA**
- 3) Horsepower rating **5** hp

DISTRIBUTION LINES OR CANALS:

- 1) Type **black poly**

Comments : **none**



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

6-2-2016

Date



0 0.05 0.1 0.2 0.3 0.4 Miles




Mark D Rath
Natural Resources Engineer
03-02-2016

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 8207-3

(1) John E Steinbauer, 221 Airport Rd, Watertown SD 57201 made Application No. 8207-3, March 11, 2016 for a water permit to divert an additional 0.054 cubic feet of water per second (cfs) from one existing well-Pleistocene Unknown Aquifer, Codington County, South Dakota for industrial use purposes. Permit No. 8207-3, with a priority date of March 11, 2016 was approved May 31, 2016 and issued to the applicant for diversion of water with construction of the described water supply system and for the application to beneficial use of water completed.

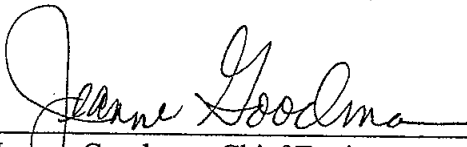
Water Permit No. 7076-3, with a priority date of October 16, 2008 authorized 0.166 cfs from one well. The applicable portions of No. 7076-3 are incorporated into No. 8207-3.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Incorporated Water Right No. 8207-3 is issued a license, bearing priority dates of October 16, 2008 (0.166 cfs) and March 11, 2016 (0.054 cfs) to appropriate 0.22 cubic feet of water per second from one well-Pleistocene Unknown Aquifer for industrial use at Dakota Tube.

The diversion point is located: 2,490 feet south and 3,050 feet west of the NE corner of Section 23-T117N-R53W (SE 1/4 NW 1/4).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 8207-3 including the following qualifications:

- The well approved under Permit Nos. 7076-3 and 8207-3 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.
- Water Permit Nos. 7076-3 and 8207-3, combined, authorizes a total annual diversion of up to 6.0 acre feet of water annually from the Pleistocene series: Unknown aquifer.
- The water permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Pleistocene Unknown Aquifer.



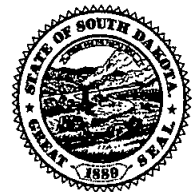
Jeanne Goodman, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

JUL 15 2016

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

8207-3
7076-3

JUL 15 2016

John E Steinbauer
221 Airport Dr.
Watertown SD 57201

Dear Mr. Steinbauer:

Enclosed are Water Permit and Water License No. 8207-3. These are the final water right documents completing the process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the 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. 8207-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

Note: The applicable portions of No. 7076-3 are incorporated into Water License No. 8207-3.

enclosures