

1. Considered NOVEMBER 27 19 79
2. Name of Applicant EVERETT MAC KABEN
3. Post Office Address SPEARFISH, S.D.
4. Amount of Water Claimed .10
5. Source of Water Supply 304' WELL (MINNEKAHTA)
6. Water to be used for COMMERCIAL & INDUSTRIAL
maximum
7. Acres to be Irrigated — acre feet —
8. Water to be diverted and used in LAWRENCE County
about 1 N, 1 miles WEST of SPEARFISH
9. Proof of Publication Received 11-15-79
Not received —
10. Application Approved 11-27-79
Subject to DW & AL...
Not approved —
Action deferred —

Priority Date
9-24-79 Received SEPT. 24, 1979 Application Complete yes X no —
 Date
 Returned or additional information or fee requested —

Remarks ORIG APPL. 1186-1 NOT DRILLED TO MINNELUSA, THEREFORE
HAD TO COME IN FOR NEW APPL. FROM DIFFERENT FORMATION

Date information and/or
 fee or corrected Application received —

FEE

Amount 150⁰⁰Diversion Location —SW⁴ SW⁴ - 33-7N-2E

Lands to be
 irrigated —

Period of annual use CONTINUOUSLY

MAP

Type of Map ENGR'S Prepared by BRADYMap No. 996-1 Map located in W/R X Map file —

WELL LOG Received yes X no _____ Date of request _____

Remarks _____

Date _____

Returned _____

Driller BICE & TAYLOR Licensed in SD yes X no _____

Depth and Formation 304' - MINNEKAHTA

~~WATER~~
~~QUALITY~~
N/A

Date Received _____ Approved/Conditional (circle one)

Date Disapproved _____ Reason _____

Date Disapproved _____

Application returned _____

WI-I Land _____

Description - same as Application yes _____ no _____ Remarks _____

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on Nov. 27, 1979.

Darryl Westlund
(Signed)

This Application was unable to be completed - Reason _____

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

STAFF
RECOMMEN-
DATIONS

BOARD
ACTION

Date Approved _____ Qualifications _____

Deferred - Date _____ Reason _____

Denied - Date _____ Reason _____

REMARKS
F.F & C.
OF LAW,
FINAL
DECISIONS,
ETC.

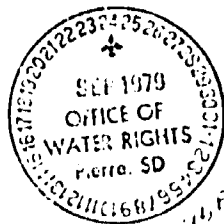
Date _____

Final Decision, including F.F. & C of Law was adopted _____

Date _____

Final Decision mailed to parties and/or parties notified that Final Decision was adopted _____

Remarks _____

No. 1194-1Map No. 996-1 Water Division No. 1 BELLE FOURCHE RIVER District
(Forms to be Filed by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Everett Michalsen
 Postoffice address Sioux Falls, S.D. State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Well by Contract - other direct labor
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) 10 cfs
5. Source of water supply Well
6. Location of point of diversion 1220 feet North & 640 feet East of SW Cor Sec 33, T7N, R2E, B1M
- County Lawrence
7. Annual period or periods during which water is to be used Year Round
8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) Full Commercial
9. For irrigation use, Total number of acres to be irrigated None

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 4 years years. Additional time required to complete application of water to the proposed beneficial use 3 years years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Green City Mail-Specialist
12. Principal Features of the Proposed Water Supply System

A. Works proposed to divert water from its natural source.

Well

B. Works proposed to transport water to place of use.

proposed future 5000 gal underground reservoir
Water Distribution System (Refer to map)

C. Works proposed to apply water to beneficial use.

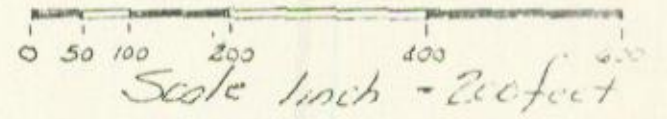
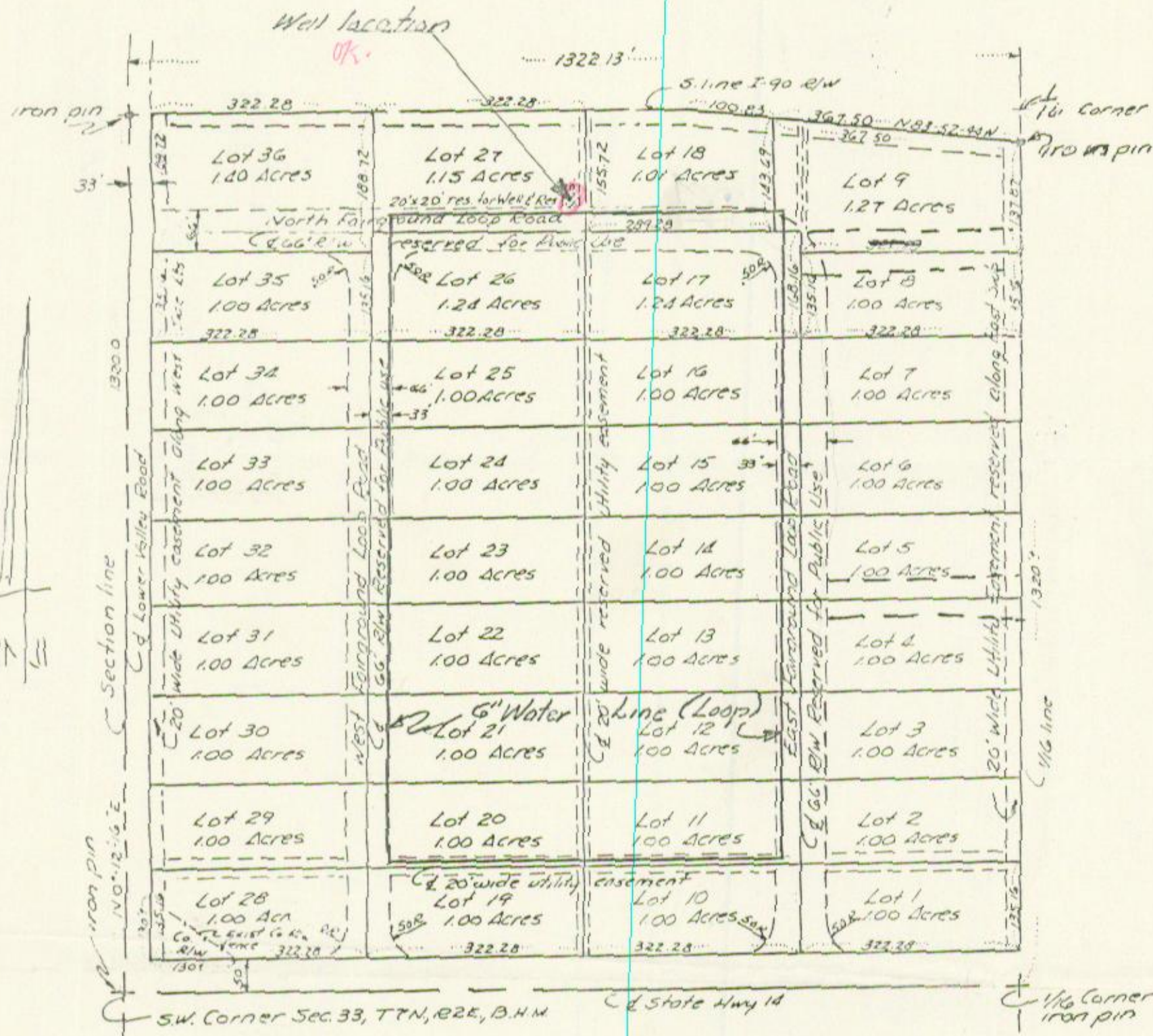
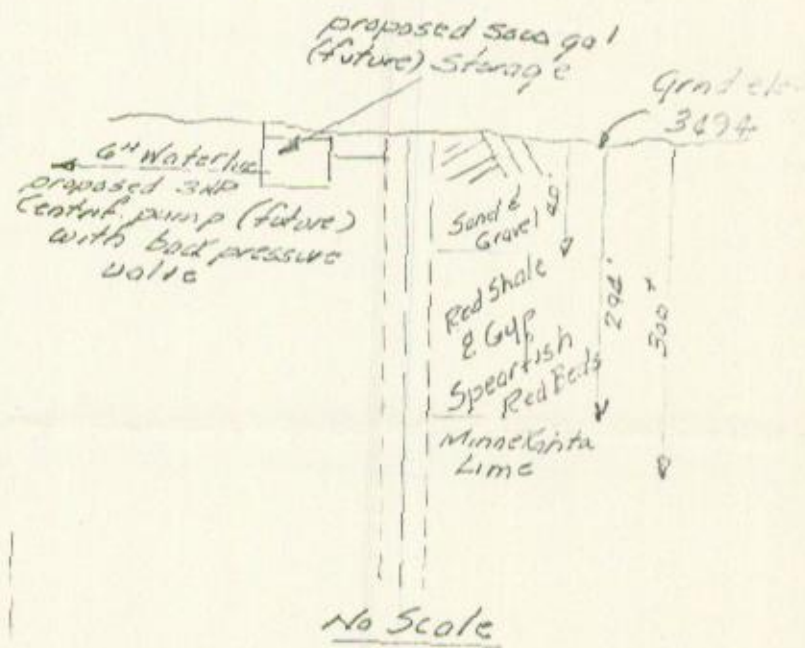
1 1/2 - 2HP Submersible
3HP Centrifugal @ reservoirEstimated Total Cost \$ 15000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of LawrenceI, Everett Michalsen, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Everett MichalsenSubscribed and sworn to before me this 20th day of September, 1979Janet C. Lambert
Notary Public (or other qualified officer)

Water Right Application Map for:
Spearfish Fairground Commercial & Industrial Park

Owner: Everett MacKober
Sundance Star Rte
Spearfish, S.D. 57783
- Sept. 1979



Subdivision of SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, T7N, R2E, B.H.M. (less previously reserved R.W.'s)
into Lots 1 through 36 (containing 37.31 Acres)

Surveyor's Certificate

I, Fred D. Brady, Registered Professional Engineer & Land Surveyor do hereby certify that I have surveyed & plotted lots 1 through 36 from the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, T7N, R2E, B.H.M. and as shown hereon.

Fred D. Brady
Reg. P.E. & L.S. 4478-S.Dak
1200 Ames Ave, Spearfish, SD
57783

Acknowledgement of Surveyor
Lawrence County, S. Dak.

Be it remembered that on this 20 day of September 1979, before me the undersigned, a notary public, personally appeared Fred D. Brady, known to me to be the person described in & who executed the foregoing instrument.

My Commission Expires: 11-8-84

Janet L. Lambert
Notary Public

MAP No 996-1 (APPL: 1194-1 & 1186-1)

WATER RIGHT APPLICATION APPROVAL

WATER RIGHTS COMMISSION hereby approves Water Right Application No. 1194-1EVERETT MAC KABEN
(Applicant)SUNDANCE STAR Rt. Box 80
(Post Office Address) SPEARFISH,SOUTH DAKOTA 57783
(State)

With the following modifications:

The well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The well owner, under this Permit, shall control his ~~xxxxxxx~~ withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.

The well approved under this Permit shall be valved and the flow reduced to a minimum when not being used for the purposes authorized. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with specifications of the Water Management Board.

Date of first receipt of application SEPTEMBER 24 19 79Date of return to applicant for correction, amendments or changes required 19Date of receipt of corrected application 19Approved NOVEMBER 27 19 79 Recorded in Book 21 Page 80

WATER RIGHTS COMMISSION

WATER RIGHT PERMIT NO. 1194-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1194-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is SEPTEMBER 24 19 79
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 27 19 80
3. The whole of said work is to be completed on or before NOVEMBER 27 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 27 19 84
5. The water appropriated shall be used for the purpose of INDUSTRIAL & COMMERCIAL
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed .10 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial use, and if for the irrigation purpose, said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before NOVEMBER 27 19 84 said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 30th day of NOVEMBER 19 79

WATER RIGHTS COMMISSION

By:


 Chief Engineer, Executive Officer
Certificate of Construction Issued 19Water License Issued 19

BICE & TAYLOR DRILLING CO.

1720 Evergreen Drive
RAPID CITY, SOUTH DAKOTA 57701

RALPH TAYLOR



TELEPHONE:
Office 348-3600
After Hours 342-7119

Dear Fred,

Enclosed is well log for Everett MacKaben:

2/12/79

Total Depth 304' 7 7/8" GHI 100
Casing 296' 5" 76 sack cement

0-41 Loose sand & gravel
-294 Red shale & gyp Spearfish
294-304 Limestone Minnekahta

Kindest regards,

Ralph

Ralph L. Taylor, Sr.

BICE & TAYLOR DRILLING CO.

1720 Evergreen Drive
RAPID CITY, SOUTH DAKOTA 57701

RALPH TAYLOR

TELEPHONE:
Office 348-3100
After Hours 342-7119

Dear Fred,

Enclosed is well log for Everett MacKaben:

2/12/79

Total Depth 304' 7 7/8" GPH 100
Casing 295' 5" 7/6 sack cement

0-41 Loose sand & gravel
41-294 Red shale & gyp Spearfish
294-304 Limestone Minnekahta

Kindest regards,



Ralph L. Taylor, Sr.

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12 Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 7 1/2", Depth 350 feet
(2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 5 1/2" I.D. Thickness .270
(3) Perforated Screen, . . .
Type _____, Diameter _____, Length _____
(4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.) Enclosed copy of log

Character of Water bearing materials Mississippi Limestone

Depth to top of water bearing material 294

Depth to bottom of water bearing material unknown

Thickness of water bearing material 12 feet plus

Depth to water (ground surface to water level) probable flow

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property None rds. On property owned by others 60 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Ernest M. Kuhn
Signature of Applicant

No. 1194-1

Publish first publication, on or before November 7, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 23, 1979

Notice is hereby given that Everett MacKaben whose post office

address is Spearfish, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .10 cubic feet of water per second of time from ground water

(one well) through the MacKaben Project, the point (x) of diversion of which is (are) to be located in the SW 1/4 SW 1/4

of Section 33, Twp. 7N, Range 2E. Said water to be used for the purpose of providing ~~irrigation on portions of Section 33, Twp. 7N, Range 2E, for the purpose of providing irrigation on portions of~~

water for commercial and industrial purposes.

This Application No. 1194-1 will be considered by the Water Management Board at In Meeting Room #1, Kneip Building
Church & Illinois, Pierre, SD upon the 27th day of November, 1979

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

BETTY WESTLUND
Water Rights Specialist

cc: Everett MacKaben, Sundance Star Rt., Box 80, Spearfish, SD 57783

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1194-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lawrence) ss.

I, Olie J. Hermann hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Sioux City Mail

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

Sioux City Mail of Spearfish

County of Lawrence and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

Nov 7 & Nov 14, 1979

Olie J. Hermann
(Signature)

Board Member
(Title)

Nov 14, '79
(Date Signed)

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

No. 1194-1
Pierre, South Dakota 57501
October 29, 1979

Notice is hereby given that Everett MacKaben whose post office address is Spearfish, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .10 cubic feet of water per second of time from ground water (one well) through the MacKaben Project, the point of diversion of which is to be located in the SW 1/4 SW 1/4 of Section 33, Twp. 7N, Range 2E. Said water to be used for the purpose of providing water for commercial and industrial purposes.

This Application No. 1194-1 will be considered by the Water Management Board in Meeting Room #1, Kneip Building at Church & Illinois, Pierre, SD upon the 27th day of November, 1979 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

BETTY WESTLUND

Water Rights Specialist I
(45 2tc, 51 lines)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7053

September 26, 1979

PIERRE, 1979

RECEIVED OF Everett MacKuben Development, Inc. Spearfish SD 57783
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____	150	00
Fee for Inspecting Construction, and issuing Cert. of Construction No. _____		
Fee for Inspecting Beneficial Use, and Issuing Water License No. _____		
Fee for Issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH kw

Permit No. 1194-1Water Division 1 Belle Fourche River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Everett
Alce Kaban of Spearfish, S.Dak 57753 holder 24, 1979
 of Permit No. 1194-1, bearing date of priority of January 18 1979
 authorizing the diversion of .2 cu. ft. per second of the waters of one well
 for Industrial & Commercial purposes, in Lawrence County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

Flowing Artesian well 304 ft deep in the
Minnekahta limestone. Flows 100 gpm. Has
controls on well

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

Water Distribution System

C. Works used to apply water to beneficial use.

Industrial and Commercial operations

The system is in the following condition: Good

The point of diversion is located 1220 ft N and 670 ft E of the
SW cor sec. 33, T7N R2E B1M.

The works are capable of diverting and conveying to the place of use .22 (100 gpm)

cu. ft. per second of water which is to be used for Industrial & Commercial Purposes

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

Well Data:

Depth 304'Casing to 296'Flowing 100 gpm.

Note: This permit is for the same well as permit # 1186-1 but in a different formation. Permit 1186-1 will be cancelled.

License for .2 cfs.

Date: October 16, 1980

Leroy J. McNaugh
 (Signature)

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

May 21, 1982

Everett MacKaben
Sundance Star Route, Box 8D
Spearfish, South Dakota 57783

Dear Mr. MacKaben:

Enclosed herewith are, Water License No. 1194-1 and Certificate of Construction.

Water License No. 1194-1 is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosures

This Water License replaces
Permit No. 1186-1 which has been
cancelled.

WNR-817-7/79

Transmittal of Water License

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1194-1.

(1) WHEREAS, On the 24th day of September A. D. 19 79
Everett MacKaben

made Water Right Application No. 1194-1 for a permit to use .2* cubic feet per second of the waters
of groundwater (one well flowing)
County of Lawrence, State of South Dakota, for Industrial and commercial
purposes; and

(2) WHEREAS, On the 27th day of November A. D. 19 79
Permit No. 1194-1, with a date of priority of January 18, 1979* and September 24, 1979
was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 27th day of November A. D. 19 80 and for the
application to beneficial use of said water on or before the 27th day of November A. D. 19 84

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert .2 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,

for commercial use and use in an industrial complex.

* This Water License is for the same well as under Permit No. 1186-1, but in a
different formation. Water License No. 1194-1 replaces Permit No. 1186-1 and
Permit No. 1186-1 has been cancelled.

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Everett Hackaben

of Spearfish, South Dakota

the holder _____ and owner _____ of said permit No. 1194-1 a water right, dating from January 18, 1979

and September 24, 1979 to use of .2 cubic feet per second of the waters of groundwater (one well- flowing)

in the County of Lawrence and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 1220 feet N and 670 feet E of the SW corner Section 33, T7N, R2E, BHM (CC)

and conducted ~~to and upon~~ through the Hackaben project distribution system.

for the purpose of Industrial and commercial

Subject to any limitations listed in Water Right Permit No. 1194-1 and subject to the laws of the State of South Dakota.

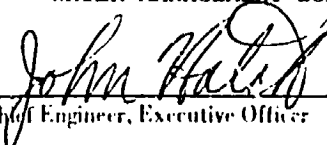
WITNESS, My hand and seal of our office at Pierre, South Dakota

this 21st day of May A. D.

Nineteen Hundred and Eighty-Two

WATER MANAGEMENT BOARD

by:


Chief Engineer, Executive Officer JOHN HATCH

Permit No. 1194-1

Water Diversion No. 1 Belle Fourche River Water District
10120203

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Everett MacKaben

_____ the holder _____ of
Permit No. 1194-1, issued upon Application No. 1104-1, bearing date of priority of September 24, 1979
January 18, 1979* authorizing the diversion of .2* cu. ft. per second of the waters of _____
groundwater (one well/flowing) County of Lawrence, State of South Dakota at _____
a point 1220 feet N and 670 feet E of the SW Corner Section 33, T7N, R2E, B1W (CC)

_____ for Industrial and commercial

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use .22 cu. ft. per second of water.

Date May 21, 1982

This Water License replaces
Permit No. 1186-1 which
has been cancelled.



JOAN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8685

PIERRE, February 1, 1982

RECEIVED OF Verett MacKaben, Sundance Star Route, Box 8D, Spearfish, SD
the following amount in fees for services rendered as provided for by law: 57783

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 1194-1		
Fee for inspecting Beneficial Use, and issuing Water License No. 1194-1	50	00
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *J. L. Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (ms)

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED

No. 1194-1

OCT 28 2002

WATER RIGHTS
PROGRAM

Date: 10/16/02

I/We request that Water Right/Permit No. 1194-1

formerly owned by: Everett MacKaben

be transferred to: (name & address) Spearfish Fairground Industrial Park Association,
625 Fifth Street, Spearfish, SD 57783

Telephone No. 642-1333

Title to the following described land(s)/property has been transferred as described above:

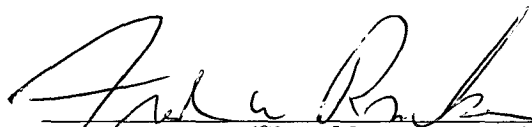
1 well located in the SW ¼ SW ¼ Section 33-T7N-R2E

I/We understand that the validity of Water Right/Permit No. 1194-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Spearfish Fairground, the new owner, certify that the above information is true and correct.
Industrial Park Association


(Signed by new owner)
for SFIPA

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date October 28, 20 02

RECEIVED OF City of Spearfish, 625 Fifth Street, Spearfish SD 57783

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
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 <u>1194-1</u>	2	50
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	2.50

No.

000030

By

Harland Ebele

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 29, 2002

1194-1

City of Spearfish
625 5th St
Spearfish SD 57783

Dear Sir:

Thank you for following up on the ownership change for Water Right No. 1194-1. The transfer has been completed. The water right formerly listed in the name of Everett MacKaben is now listed in the name of Spearfish Fairground Industrial Park Association.

Enclosed is your Receipt No. 330 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
(605) 773-3352
email: Karen.Schlaak@state.sd.us

enclosure