

Considered: \_\_\_\_\_

WATER PERMIT NO. 1488-1

MAP No. Ph# 923-4785

Name of Applicant A. Wayne Vig

Post Office Address 2. Hub Rd., Ellsworth AFB SD 57706

Amount of Water Claimed 0.22 cfs (100 gpm) Total Acres NA

Source of Water Supply groundwater (Lakota Formation)

Water to be used for domestic County Meade + Pennington

About - miles - of Ellsworth AFB

PROOF OF PUBLICATION: Received \_\_\_\_\_ Not Received \_\_\_\_\_

APPLICATION: Approved \_\_\_\_\_ Subject to \_\_\_\_\_

F.F. & C.L. Adopted \_\_\_\_\_ Not Approved \_\_\_\_\_ Deferred \_\_\_\_\_

PRIORITY \_\_\_\_\_ Date Received 4/10/90 Fee \$225<sup>00</sup> Remarks provide water for Wagon Wheel Trailer Park + American Legion Club.

Corrected Application Received \_\_\_\_\_ Period of Annual Use continuous

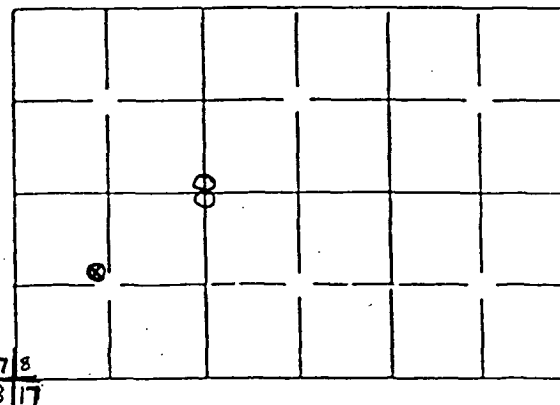
WATER QUALITY APPROVAL RECEIVED \_\_\_\_\_ APPROVED/CONDITIONAL (Circle one) \_\_\_\_\_

WI-1 Description same as Application YES NO REMARKS \_\_\_\_\_

Diversion Point Lot 7 of Lot M in SW 1/4 Sec 8 T2N-R9E

(N 55° E - 1770' of SW corner of Section 8 - T2N-R9E)

Land to be Irrigated NA



Well Log: Driller Taylor Licensed YES X NO \_\_\_\_\_

Depth of Well 2500' REMARKS \_\_\_\_\_

Type of Map Plat PREPARED BY Warren Fisk Reviewed and the Number \_\_\_\_\_

assigned on April 11, 1990 By Eric Threlkeld

**SOUTH DAKOTA  
WATER PERMIT No. 1488-1**

Date of first receipt of application April 10, 1990.

The Water Management Board approved Water Permit Application No. 1488-1 on July 25, 1990 for A. Wayne Vig, 2 Hub Rd., Ellsworth AFB, SD 57706 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. 1488-1 appropriates 0.22 cubic feet of water per second from one well (Lakota Formation) 2500 feet deep located near the center of the SW1/4 of Section 8 T2N-R9E, B.H.M.
2. The water appropriated shall be used for the purpose of providing water to a mobile home park and American Legion Club and may not exceed the amount of water needed for beneficial use for suburban housing and commercial use.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is April 10, 1990.
5. One-fifth of the construction is to be completed on or before January 25, 1993.
6. All construction is to be completed on or before July 25, 1995.
7. Water is to be put to beneficial use on or before July 25, 1999.
8. Water rights obtained in compliance with the laws of the State of South Dakota not be unlawfully impaired by this appropriation.

**QUALIFICATIONS**

1. The well authorized by Permit No. 1488-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.
2. 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.

**WATER MANAGEMENT BOARD**

By: \_\_\_\_\_

*John Hated*  
Chief Engineer, Water Rights Division  
Department of Water and Natural Resources

**SEP 13 1990**

\_\_\_\_\_  
(date)

No. 1488-1 Hydrologic Unit 1012011  
Map No. \_\_\_\_\_ Basin UPPER CHEYENNE  
Newspaper Meade Co. Times-Tribune - RC Journal

(W) Box 69 Sturgis 57785 Box 450 57709 (D)

**Application For Permit To Appropriate Water Within The State Of South Dakota**Check use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐  
Rural Water System ☐ Suburban Housing ☒ Geothermal Heat ☐ Institutional ☐ Recreational ☐  
Domestic ☒ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. \_\_\_\_\_ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ \_\_\_\_\_☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. \_\_\_\_\_☐ Construction to use water reserved by Future Use Permit No. \_\_\_\_\_1. Name of Applicant A. Wayne Vig Phone No. 923 4785Post Office Address 2 Hub Rd., Ellsworth AFB State SD  
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) 100gpm (.22 c.f.s)3. Source of water supply Well in Lakota Formation4. Location of point of diversion Lot 7 of Lot M Revised in SW $\frac{1}{4}$  of Sec. 8, T2N  
R9E, BHM Mead County, South Dakota

\_\_\_\_\_ County \_\_\_\_\_

5. Counties where water will be used Meade and small portion of Pennington6. Annual period during which water is to be used Continuous 1/1 thru 12/31

7. Give a brief description of proposed 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)

To provide water to a mobile home park and American Legion Club  
presently being served by an old existing well. (See Large Map)

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. (Attach map)  
(see instruction)STATE OF SOUTH DAKOTA)  
County of \_\_\_\_\_)I, A. Wayne Vig the applicant, certify that I have read  
this application, have examined the attached map and that the matters stated are true and that I intend, and am able to  
complete the necessary construction.Signed A. Wayne VigSubscribed and sworn to before me this 6<sup>th</sup> day of April 19 90Meredith J. Taylor  
Notary PublicMy Commission Expires July 9, 1997

## Supplemental Information

(type or print in ink)

## 1. Well Information - Proposed construction

- a) Drill Hole Diameter 8 3/4" Depth 1000' (6 1/2" from 1000' to 2500')
- b) Casing Type Steel Diameter 7" Thickness .317" 1000'
- c) ~~Screen Type~~ <sup>Casing</sup> Steel Diameter 4 1/2" Thickness .250" 1000-2500'
- d) Gravel Pack Thickness None Length of Gravel Pack
- e) Depth to Top of Water Bearing Material 2400'
- f) Depth to Water (ground surface to water level) approx. 450'
- g) Distance to nearest existing domestic well:
- On applicants property                      On property owned by others ... 917'

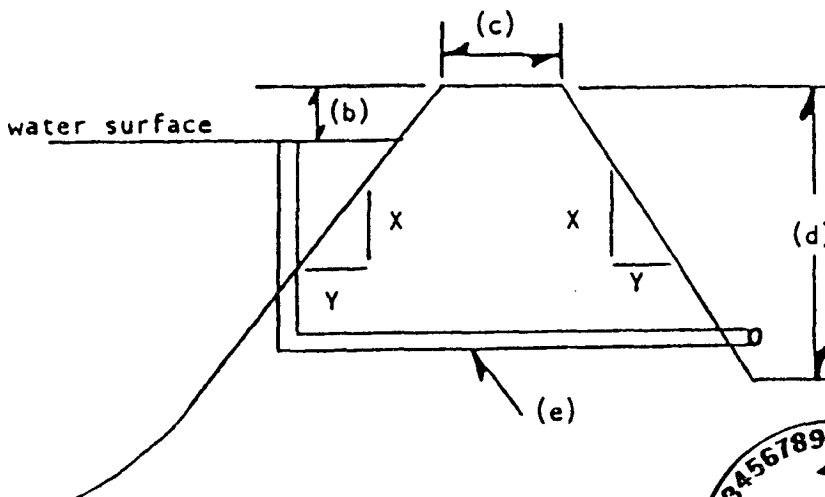
## 2. Dugout Information Estimates

- a) Surface Dimensions \_\_\_\_\_ Depth \_\_\_\_\_
- b) Depth to water (ground surface to water level) \_\_\_\_\_

### 3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address



- b) Freeboard \_\_\_\_\_
- c) Crest Width \_\_\_\_\_
- Crest Length \_\_\_\_\_
- d) Height \_\_\_\_\_
- e) Primary Outlet Capacity \_\_\_\_\_
- If Pipe, diameter \_\_\_\_\_
- f) Secondary Spillway Capacity \_\_\_\_\_
- Spillway width \_\_\_\_\_
- g) X & Y Slope
- Upstream \_\_\_\_\_
- Downstream \_\_\_\_\_
- Surface Area of Impoundment \_\_\_\_\_
- Storage \_\_\_\_\_ acre feet
- Drainage area above dam \_\_\_\_\_

A. Wayne Vig  
e of Applicant

**Signature of Applicant**



# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

448195

Pierre, \_\_\_\_\_, April 10, 19 90

RECEIVED OF A Wayne Vig, 2 Hub Road, Ellsworth AFB, SD 57706

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

|                                                                                                                                    |       |        |
|------------------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>1488-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____ | 225   | 00     |
| Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____                                                 |       |        |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                                             |       |        |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____                                |       |        |
| Fee for Filing Transfer Form _____                                                                                                 |       |        |
| Fee for Filing Extension Request _____                                                                                             |       |        |
| Fee for Certified Copy of _____                                                                                                    |       |        |
| Fee for Print Copy of Map _____                                                                                                    |       |        |
| Fee for Certifying _____                                                                                                           |       |        |
| Fee for _____                                                                                                                      |       |        |
| (Any Other Work Provided by Law)                                                                                                   | Total | 225 00 |

By John Halch Kora  
Chief Engineer

# EXHIBIT - PROPOSED WELL LOT 7 OF LOT M REVISED IN THE SW 1/4 OF SECTION 8, T2N, R9E, B.H.M., MEADE COUNTY, SOUTH DAKOTA



NORTH  
1" = 100'



STREET

|   |    |
|---|----|
| 6 | 7  |
| 5 | 8  |
| 4 | 9  |
| 3 | 10 |
| 2 | 11 |
| 1 | 12 |

STREET

STREET

STREET

MEADE COUNTY  
PENNINGTON  
COUNTY

SECTION LINE

SW. SEC 8-2-1

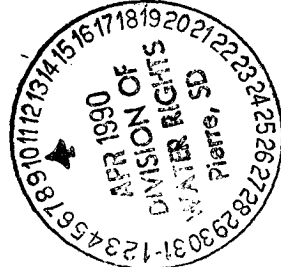
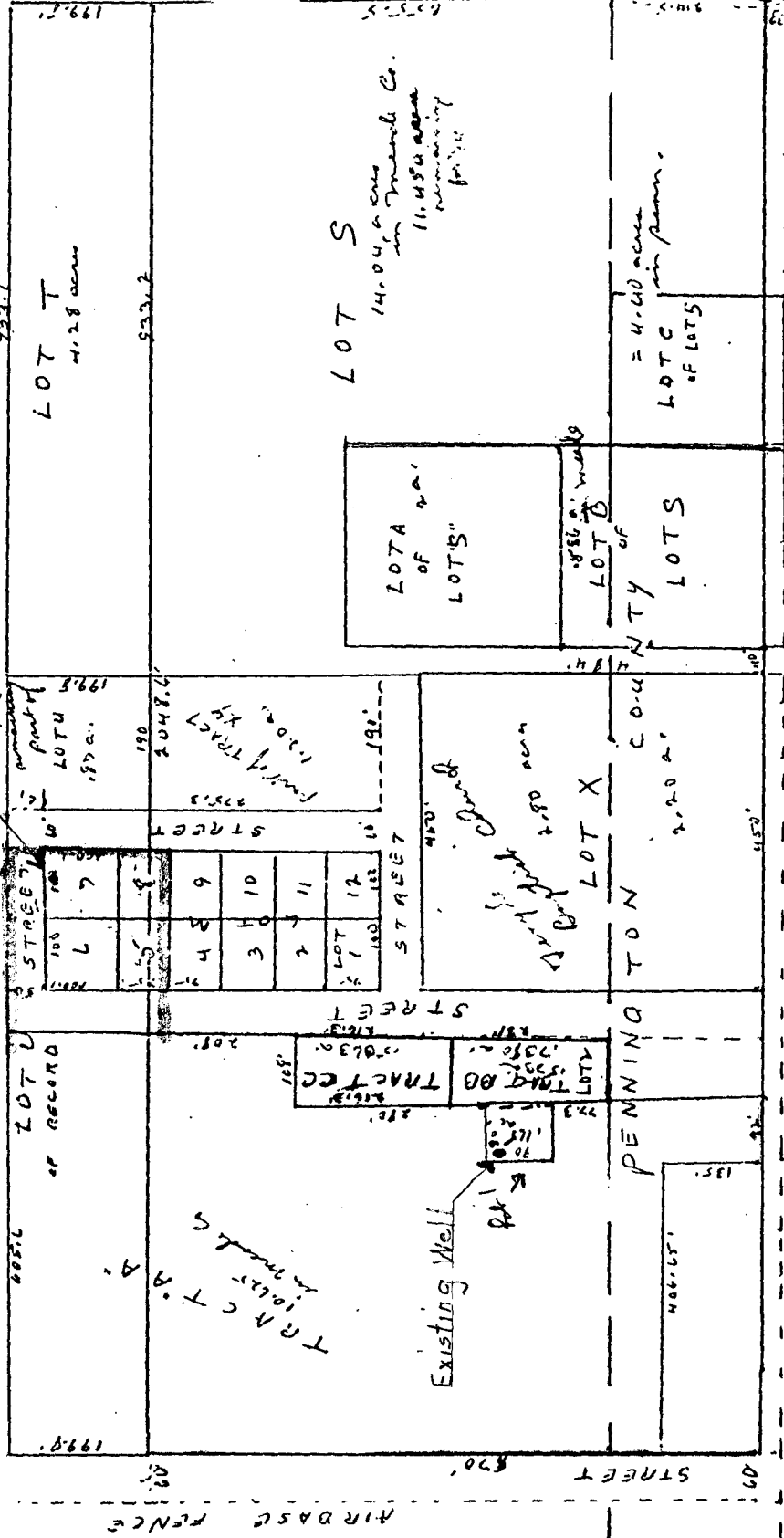
Map of Area.

Area Being Served By Old Well  
Area To Be Served By New

AIR BASE →

Proposed Well  
LOTS U and T part of Lot V of record

former TANC  
VW  
of old well  
of new well



BERTENSEN PLATS  
of SW 8-2-9

PLAT OK 4 PAGE 191  
" 328  
" 338  
" 359

PLATS



# SOUTH DAKOTA WATER WELL COMPLETION REPORT

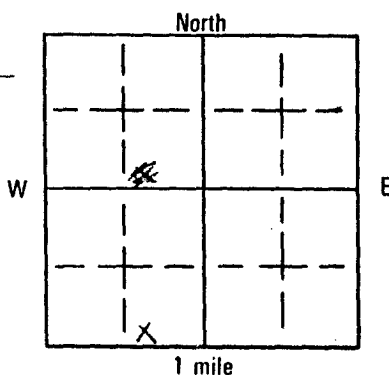
10-85

Location SE 1/4 SW 1/4 Sec 8 Twp 2N Rg 9E

County

Meade

Please mark well location with an "X"



Well Completion Date 9/17/90

## PROPOSED USE:

- ☒ Domestic ☐ Municipal ☐ Test Holes  
☐ Irrigation ☐ Industrial ☐ Stock

## Method of Drilling:

Air + Mud Rotary

## CASING DATA:

- ☒ Steel ☐ Plastic ☐ Other

If other describe \_\_\_\_\_

| PIPEWEIGHT        | DIAMETER        | FROM          | TO             | HOLE DIAMETER   |
|-------------------|-----------------|---------------|----------------|-----------------|
| <u>22</u> LB/FT   | <u>7</u> IN     | <u>0</u> FT   | <u>1007</u> FT | <u>8 3/4</u> IN |
| <u>11.6</u> LB/FT | <u>4 1/2</u> IN | <u>779</u> FT | <u>2488</u> FT | <u>6 3/4</u> IN |
| _____ LB/FT       | _____ IN        | _____ FT      | _____ FT       | _____ IN        |
| _____ LB/FT       | _____ IN        | _____ FT      | _____ FT       | _____ IN        |

## GROUT:

Was the well grouted? ☒ YES ☐ NO

To what depth? 2112 FEET

What is grouting material? Cement

If cement, number of sacks? 260

Describe grouting procedure with casing strings  
under pressure grouted

What was grout weight? 15 LB/GAL

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter \_\_\_\_\_ IN Length \_\_\_\_\_ FEET

Material \_\_\_\_\_

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet To \_\_\_\_\_ Feet

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet To \_\_\_\_\_ Feet

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet To \_\_\_\_\_ Feet

Other information \_\_\_\_\_

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? \_\_\_\_\_

Describe packer(s) and location? \_\_\_\_\_

Was well disinfected upon completion? ☒ YES ☐ NO

Explain sanitized chlorine solution

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to City Testing

Well Owner:

Name Wayne Vig

2 Hub Rd. Ellsworth AFB, SD 57705

Address

Well Log:

Depth

| Formation                  | From        | To          |
|----------------------------|-------------|-------------|
| <u>gravel, sand + clay</u> | <u>0</u>    | <u>70</u>   |
| <u>black shale</u>         | <u>70</u>   | <u>1450</u> |
| <u>Newcastle</u>           | <u>1450</u> | <u>2000</u> |
| <u>Skull Creek</u>         | <u>2000</u> | <u>2220</u> |
| <u>Fall River</u>          | <u>2220</u> | <u>2310</u> |
| <u>Fusion</u>              | <u>2310</u> | <u>2396</u> |
| <u>Lakota</u>              | <u>2396</u> | <u>2468</u> |
| <u>Morrison</u>            | <u>2468</u> | <u>2487</u> |
|                            |             |             |
|                            |             |             |
|                            |             |             |
|                            |             |             |
|                            |             |             |
|                            |             |             |
|                            |             |             |

STATIC WATER LEVEL 520 Feet

If flowing: closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify \_\_\_\_\_

Can well be completely shut in? \_\_\_\_\_

## WELL TEST DATA:

☒ Pumped

☐ Bailed

Describe: \_\_\_\_\_

☐ Other

## Pumping Level Below Land Surface

710 ft. After 12 Hrs. pumped 82 GPM

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

## REMARKS:

Well is perforated with 1 shot

at: 2248-2260

2272-2302

2310-2308

2421-2434

2438-2444

2453-2464

This well was drilled under license # \_\_\_\_\_

And this report is true and accurate.

Drilling firm TAYLOR DRILLING CO. INC.

Signature of License Representative:

Kyle Taylor

Signature of Well Owner:

Date \_\_\_\_\_

# **TAYLOR DRILLING CO.**

2310-12 Commerce Road  
RAPID CITY, SOUTH DAKOTA 57702-8062

**RALPH L. TAYLOR, SR.**  
**RALPH L. TAYLOR, JR. (Randy)**  
**KIM E. TAYLOR**

April 6, 1990

TELEPHONE:  
Office 605—348-3600  
After Hours 605—341-5417  
or 605—787-4989

DWNR  
Water Rights Division  
523 E. Capitol  
Pierre, SD 57501



Re: Info regarding Water Rights Application

Taylor Drilling has been contacted by Mr. Wayne Vig in regards to drilling a new water well at the Wagon Wheel Village Trailer Park, near Ellsworth Air Force Base. The proposed well would require a total depth of approximately 2500' in order to penetrate the Lakota Formation. In order to provide the necessary 100 GPM delivery, with an 8 3/4" borehole, a 7" O.D. Casing is required. A static water level of 450' is expected, so this casing would extend to a depth of 1000'. A 6 1/4" borehole with a 4 1/2" O.D. Casing would then extend from the 1000' to 2500'. Both strings of casing would be pressure grouted and the 4 1/2" casing would subsequently be perforated in the Lakota Formation to allow water entry into the well.

If any further information about this project is required, please feel free to contact me at 348-3600.

Regards,

Randy Taylor  
Taylor Drilling Company

**SOUTH Dakota** Department of  
**Water & Natural Resources**

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

July 27, 1990

A. Wayne Vig  
2 Hub Road  
Ellsworth AFB SD 57706

Dear Mr. Vig:

Enclosed is the Report and Recommendation of the Chief Engineer  
for Water Permit Application No. 1488-1.

If you have any questions, please contact this office.

Sincerely,

*Karen Schlaak*

KAREN SCHLAAK  
Senior Secretary  
Water Rights Division  
605 773-3352

enclosures

REPORT ON APPLICATION NO. 1488-1  
FOR A. WAYNE VIG  
June 1, 1990

This application proposes to appropriate 0.22 cfs from one well approximately 2500 feet deep located near the center of the SW 1/4 of section 8, T2N R9E BHM in Meade County. The water is to be used for a mobile home park and to supply the American Legion Club.

AQUIFER - INYAN KARA (LAKOTA) (INKR)

The Inyan Kara Group is an assemblage of sandstone and shales consisting of the Fall River, Fuson and Lakota formations in descending order. The Fall River should be approximately 125 feet thick and the Lakota should be approximately 225-375 feet in thickness (Peter, 1985). The Inyan Kara underlies 2.1 million acres and contains approximately 36.4 million acre feet of recoverable water in Meade County alone (Allen, 1985). The aquifer also underlies much of Pennington County to the south and in fact the entire area surrounding the Black Hills. The aquifer is under artesian conditions and fluctuations due to pumping are expected.

The Division of Water Rights does not have any monitoring wells completed into the Inyan Kara in the area. The nearest monitoring wells are near Hermosa to the south and north of Sturgis. Water levels in these wells do not exhibit significant fluctuations.

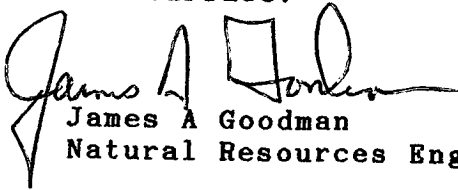
REVIEW OF EXISTING WATER RIGHTS/PERMITS

This application calls for a diversion point which is reported to be 917 feet from a well authorized by an existing Water Right No. 591-2. Water Right No. 591-2 is licensed for 0.18 cfs to supply the same area. Also Water Permit No. 1862-2 authorized water for the same purpose as this application. The time limit for construction for Application No. 1862-2 is up and this permit can be cancelled for non-construction. The Town of Box Elder has permits for three wells completed into the Inyan Kara for a total licensed diversion of 0.776 cfs. Drawdowns due to pumping will occur and will overlap. Interference is likely but should not be adverse. Data is not available to access the magnitude of these drawdowns.

CONCLUSIONS

1. There is water available from the Inyan Kara aquifer.

2. Drawdowns will occur. Interference is likely and may require lowering of pumps, but should not adversely affect the supply of water from the aquifer.
3. Apparently Water Permit No. 1862-2 can be cancelled due to non-construction.
4. This well must be completed in accordance with SD Well Construction Standard 74:02:04:30 which requires grouting with neat cement grout from the top of aquifer to the land surface.



James A Goodman  
Natural Resources Engineer

#### BIBLIOGRAPHY

- Allen, J.C., 1984, ANALYSIS OF GROUNDWATER AND STREAMFLOW DATA WESTERN DAKOTAS REGION OF SOUTH DAKOTA, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD, 57069.
- Peter, K.D. 1985, AVAILABILITY AND QUALITY OF WATER FROM THE BEDROCK AQUIFERS IN THE RAPID CITY AREA, SOUTH DAKOTA, USGS WRI 85-4022, USGS, Rapid City, SD, 57701.

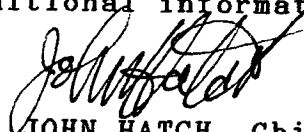
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 1488-1, A. Wayne Vig

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1488-1, A. Wayne Vig, 2 Hub Road, Ellsworth AFB SD.

The Chief Engineer is recommending APPROVAL of Application No. 1488-1 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) in the public interest with the following qualifications:

1. The well authorized by Permit No. 1488-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.
2. 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.

See the attached report for additional information.

  
JOHN HATCH, Chief Engineer  
June 1, 1990



## Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

June 26, 1990

A. Wayne Vig  
2 Hub Road  
Ellsworth AFB, SD 57706

Dear Mr. Vig:

Water Permit Application No. 1448-1 for suburban housing development use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publishers of the Rapid City Journal and the Meade Co. Times - Tribune printed at Rapid City and Sturgis SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation will be sent to you at a later date. Please review the notice and notify this office, if you have any corrections or questions.

Be sure to contact the above newspapers to arrange for payment. Early contact with the papers can eliminate delays. The publishers have been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

A handwritten signature in cursive script that reads "Eric Gronlund".

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures



# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

June 26, 1990

Rapid City Journal  
Box 450  
Rapid City, SD 57709-0450

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 1488-1 to be published twice. Please publish the first notice on or before June 29, 1990 with the second publication 6 days later on July 5, 1990.

Please BILL the APPLICANT for the cost of publication. The APPLICANT is A. Wayne Vig, 2 Hub Road, Ellsworth AFB, SD 57706.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

*Eric Gronlund*  
Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures

-----CUT HERE-----  
FIRST TRANSMITTAL NOTICE  
TO: Eric Gronlund  
Water Rights Division  
Joe Foss Building  
Pierre SD 57501-3181

No. \_\_\_\_\_

Date \_\_\_\_\_

We are in receipt of your letter of \_\_\_\_\_ enclosing Notice of Hearing to  
Appropriate Water by Application No. \_\_\_\_\_ which was first published in our issue  
of \_\_\_\_\_. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper



# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

June 26, 1990

Meade Co. Times - Tribune  
Box 69  
Sturgis, SD 57785-0069

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 1488-1 to be published twice. Please publish the first notice on or before June 27, 1990 with the second publication 7 days later.

Please BILL the APPLICANT for the cost of publication. The APPLICANT is A. Wayne Vig, 2 Hub Road, Ellsworth, AFB, SD 57706.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

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Sincerely,

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures

FIRST TRANSMITTAL NOTICE

No. \_\_\_\_\_

Date \_\_\_\_\_

We are in receipt of your letter of \_\_\_\_\_ enclosing Notice of Hearing to Appropriate Water by Application No. \_\_\_\_\_ which was first published in our issue of \_\_\_\_\_. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

-----CUT HERE-----

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

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper

Instruction to Newspaper - Publish first Notice on or before June 29, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

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NOTICE OF HEARING on Application No. 1488-1 to Appropriate Water

Notice is given that A. Wayne Vig, 2 Hub Road, Ellsworth AFB, SD 57706 has filed an application for a water permit to appropriate 0.22 cubic feet of water per second from one well (Lakota Formation) 2500 feet deep located near the center of the SW1/4 of Section 8-T2N-R9E, B.H.M. The water is to be used for suburban housing and the American Legion Club.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1488-1 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. This application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., 523 E Capitol, Pierre SD on July 25, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 13, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 13, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.



# Affidavit of Publication

STATE OF SOUTH DAKOTA

55.

County of Pennington

I, Jerry J. Shoener, being first duly sworn, upon his oath says: That he is now and was at all times hereinafter mentioned, an employee of the RAPID CITY JOURNAL COMPANY, a corporation, of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said RAPID CITY JOURNAL, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said newspaper once each week for two successive weeks, the first publication thereof being on the twenty-ninth day of June, 19 90, that the fees charged for the publication thereof are sixty-six Dollars and sixteen cents.

Jerry J. Shoener

Subscribed and sworn to before me this 5th day of

July, 19 90.

Ray Westmeyer  
Notary Public.

Commission expires April 18, 1995

JUNE 29, July 5, 1990  
NOTICE OF HEARING  
ON APPLICATION NO. 1488-1  
TO APPROPRIATE WATER  
Notice is given that A. Wayne  
Via 2 Hub Road, Ellsworth AFB,  
SD 57706, has filed an application  
for a water permit to appropriate  
8.22 cubic feet of water per second  
from one well (Lakota Formation)  
2500 feet deep located near the  
center of the SW 1/4 of Section 4,  
T2N, R3E, B1M. The water is to  
be used for suburban housing and  
the American Legion Club.  
Pursuant to SDCL 46-2A-2, the  
Chief Engineer of the Water  
Rights Division recommends AP-  
PROVAL of Application No. 1488-1  
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. This ap-  
plication will be considered by the  
Water Management Board in  
Room 316, Joe Foss Bldg., 523 E.  
Capitol, Pierre, S.D., on July 25,  
1990 at 10:00 a.m. The Chief Engi-  
neer's recommendation is not final  
or binding upon the Board. The  
Board is authorized to 1) approve;  
2) approve with qualifications; 3)  
defer or 4) deny this application  
based on the facts presented at the  
public hearing.  
Any interested person that in-  
tends to participate in the hearing  
before the Board by presenting  
evidence or cross-examining wit-  
nesses according to SDCL 1-56,  
must file a written petition with  
SDWR the applicant and Chief  
Engineer by July 13, 1990. The  
Chief Engineer's address is: Wa-  
ter Rights Division, Foss Building,  
523 E. Capitol, Pierre, SD 57501,  
(605) 773-3382. The petition may  
be informal but must include a  
statement describing the peti-  
tioner's interest in the application,  
the petitioner's reasons for ap-  
pealing or supporting the application  
and the signature and mailing ad-  
dress of the petitioner or legal  
counsel. If legal counsel is ob-  
tained, the applicant need not file  
a petition. Contact the Water  
Rights Division to request infor-  
mation on this application or to  
assure access to the hearing by the  
nondisputed.  
This hearing is an adversary  
proceeding. Any person filing a  
petition under the applicant have  
the right to be represented by a  
lawyer. These and other due pro-  
cess rights will be forfeited if not  
exercised. Decisions of the Board  
may be appealed to the Circuit  
Court and State Supreme Court as  
provided by law. The time of the  
hearing will also be automatically  
delayed for at least twenty days  
upon written request to the Chief  
Engineer from the applicant or a  
petitioner. The request for a delay  
must be received by July 13, 1990.  
This application is made pursu-  
ant to SDCL 46-11 thru 46-19; 46-  
12 thru 46-15; 46-2-1, 46-2-9; 46-  
11; 46-2-13, 46-2-17; 46-2A-1 thru 46-  
2A-10; 46-2A-12; 46-2A-14; 46-2A-15;  
46-5-1 thru 46-5-11; 46-5-13 thru 46-5-  
15; 46-5-24; 46-5-25; 46-5-30.2; 46-5-  
30.4; 46-5-31; 46-6-3; 46-6-3.1; 46-6-  
4.1; 46-6-10; 46-6-13; 46-6-14; and  
Board Rules ARSD 74:02:01.01  
thru 74:02:01.15.

IN THE \_\_\_\_\_ COURT  
COUNTY OF PENNINGTON

**Publisher's and Attorney's  
Affidavit**

Filed in the office of \_\_\_\_\_

\_\_\_\_\_ on

the \_\_\_\_\_ day of \_\_\_\_\_

19 \_\_\_\_\_

Attorney for \_\_\_\_\_



# AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA  
COUNTY OF MEADE

Sharon Allison, being duly sworn, says: That the Meade County Times-Tribune is and, during all the time hereinafter mentioned, was a weekly legal newspaper as defined in SDCL 17-2 as amended, published at Sturgis, Meade County, South Dakota, by Allison Publishing, Inc. 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 attached, was published in said newspaper for successive issues bearing the following dates:

|         |      |  |     |
|---------|------|--|-----|
| June 27 | 1990 |  | 199 |
| July 4  | 1990 |  | 199 |
|         | 199  |  | 199 |
|         | 199  |  | 199 |
|         | 199  |  | 199 |

that the full amount of the fee charged for publishing the same, to-wit, sum of \$ 42.00, inures solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the division of the fee has been made with any person, and that no part of the fee has been agreed to be paid to any other person.

Sharon Allison

Billing Clerk

Subscribed and sworn to before me this

1 day of July, 1990

John Allison

Notary Public, South Dakota

## Water application filed

South Dakota  
Department of Water  
& Natural Resources  
Joe Foss Building  
523 East Capitol  
Pierre, SD 57501-3181

## NOTICE OF HEARING On Application No. 1488-1 to Appropriate Water

Notice is given that A. Wayne Vig, 2 Hub Road, Ellsworth AFB, SD 57706 has filed an application for a water permit to appropriate 0.22 cubic feet of water per second from one well (Lakota Formation) 2500 feet deep located near the center of the SW 1/4 of Section 8-T2N-R9E, B.H.M. The water is to be used for suburban housing and the American Legion Club.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1488-1 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. This application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., 523 E. Capitol, Pierre, SD on July 25, 1990 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 13, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Publ. June 27 & July 4  
Meade County Times-Tribune



# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

September 5, 1990

Estes Water Company  
P.O. 330  
Rapid City, SD 57701

Dear Mr. Estes:

Enclosed is the application, report and Chief Engineer's recommendations for A. Wayne Vig's water permit. If you have any questions, please feel free to contact this office.

Sincerely,

Eric Gronlund  
Water Rights Division  
605 773-3352

enc.



# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

SEP 13 1990

A. Wayne Vig  
2 Hub Road  
Ellsworth AFB SD 57706

Dear Mr. Vig:

Enclosed is Water Permit No. 1488-1 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Division  
605 773-3352

enclosures

**PLEASE NOTE:** Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



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

Date 11/17/90

TO: Water Rights Division, DWNR  
Joe Foss Building  
Pierre SD 57501-3181

FROM: A. Wayne Vig 2 Hub Rd. Ellsworth AFB  
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 1488-1.

Water Permit No. 1488-1 states that the diversion system is to be constructed by Taylor Drilling Company, and that the water it put to beneficial use by Wagon Wheel Village.

The diversion system was completed on 11/1/90.  
Applying the water to beneficial use was completed on 11/1/90.

You may schedule an inspection so that the Water License may be issued.

A. Wayne Vig  
signature

*South Dakota*

GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3181

September 3, 1992

1488-1

A. Wayne Vig  
2 Hub Road  
Ellsworth AFB, SD 57706

Dear Mr. Vig:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 1488-1, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

*Cheryl F. Frost*

Cheryl F. Frost  
Secretary  
Water Rights Division  
(605) 773-3352

NOTE: On check or money order, please specify your permit number.  
This will insure proper handling of the fee.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3181

November 18, 1992

**SECOND NOTICE**

**PERMIT NO: 1488-1**

**NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT**

A. Wayne Vig  
2 Hub Road  
Ellsworth AFB, SD 57706

Dear Mr. Vig:

On September 3, 1992, you were notified the final inspection fee of \$50.00 is due before Water License No. 1488-1 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

John Hatch, Chief Engineer  
Water Rights Division  
Phone: (605) 773-3352

|                                                                                                                                                                                |  |                                                                                                                                                                                                                                                                |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>Is your RETURN ADDRESS correct? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>4. Return Address (If different from addressee's address, list it here)</p> |  | <p>3. Package Markings (If any, list them here)</p>                                                                                                                                                                                                            |  |
|                                                                                                                                                                                |  | <p>5. Signature (Addressee)</p> <p>6. Signature (Agent)</p>                                                                                                                                                                                                    |  |
| <p>1. Addressee's Name (Last, first, and middle initial)</p> <p>2. Addressee's Address (Street, city, state, and ZIP code)</p>                                                 |  | <p>7. Date of Delivery</p> <p>8. Addressee's Address (Only if requested and fee is paid)</p>                                                                                                                                                                   |  |
| <p>A. Wayne Vig<br/>2 Hub Road<br/>Ellsworth AFB, SD 57706</p>                                                                                                                 |  | <p><input type="checkbox"/> Registered <input type="checkbox"/> Insured<br/> <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD<br/> <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise</p> |  |

PS Form 3811, December 1991 ☆ U.S.G.P.O.: 1992-307-530

**DOMESTIC RETURN RECEIPT**

Thank you for using the United States Postal Service

# RECEIPT

413511

## Division of Water Rights

### South Dakota Department of Environment and Natural Resources

Pierre, \_\_\_\_\_ November 25 \_\_\_\_\_, 19 92

RECEIVED OF Pauline H Vig, 2 Hub Road, Ellsworth AFB, SD 57706

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. <u>1488-1</u>          | 50    | 00    |
| Fee for Filing Transfer Form _____                                                                                   |       |       |
| Fee for Filing Extension Request _____                                                                               |       |       |
| Fee for _____                                                                                                        |       |       |
| _____                                                                                                                |       |       |
| _____                                                                                                                |       |       |
| (Any Other Work Provided by Law)                                                                                     | Total | 50 00 |

By

Chief Engineer

*John Hatch*

Permit No. 1488-1

Water District: Upper Cheyenne

Report Of Examination Of Works And/Or Application of Water To Beneficial Use:

I have this day made a thorough examination of the water use system constructed by A.Wayne Vig of 2 Hub Rd., Ellsworth AFB, SD 57706, holder of Permit No. 1488-1, bearing the priority of April 10, 1990 authorizing the diversion of 0.22 cu.ft. per second the waters of groundwater for providing water to a mobile home park, in Meade County.

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

A. Works used to divert the water:

Pump: Grundfos-submersible, 90 gallons per minute capacity.

Motor: Grundfos-submersible, 20 horse power.

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

100 feet of 4 inch Polyvinyl Chloride (PVC) pipes.

C. Works used to apply water to beneficial use:

Water is pumped into a 17000 gallon tank and is used in a trailer court.

The system is in the following conditions: Very good. The point of diversion is located: approximately 1024 feet east and 1478 feet north from the Southwest corner of Section 8, T2N-R9E (NW1/4 SW1/4).

The works are capable of diverting and conveying to the place of use 0.2 cu.ft. per second of groundwater which is to be used for domestic purposes. Water has been put to beneficial use to the maximum extent as follows:

Water is used in a trailer court to serve 100 units for drinking and culinary purposes.

The license should be issued for 0.2 cfs. Application permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: None

Date: 5/12/22

M. Rassool Ahadi

M. RASSOOL AHADI

Natural Resources Engineer III

DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NUMBER 1488-1

DATE 5/19/92

Other permit(s) associated with the project None

DIVERSION POINT LEGAL LOCATION: NW1/4SW1/4 Section 8, T2N-R8E

WELL INFORMATION: Well Drilling Firm Taylor Drilling

- a) **Pump** 1) make Grundfos-Submersible No. of Wells 1 Depth(s) 2480 feet  
2) model c) **Casing:** 1) diameter 6-4.5 inches  
3) size inches 2) length 2480 feet  
4) capacity 90 GPM 3) type Steel  
5) turbine pump - No. of stages d) **Screen:** 1) type Steel  
6) operating pressure PSI 2) length Various Depth
- b) **Motor:** 1) make Grundfos-Submersible e) Static Water Level 700 feet  
2) model No.  
3) horsepower rating 20 HP

**DISTRIBUTION LINES OR CANALS:**

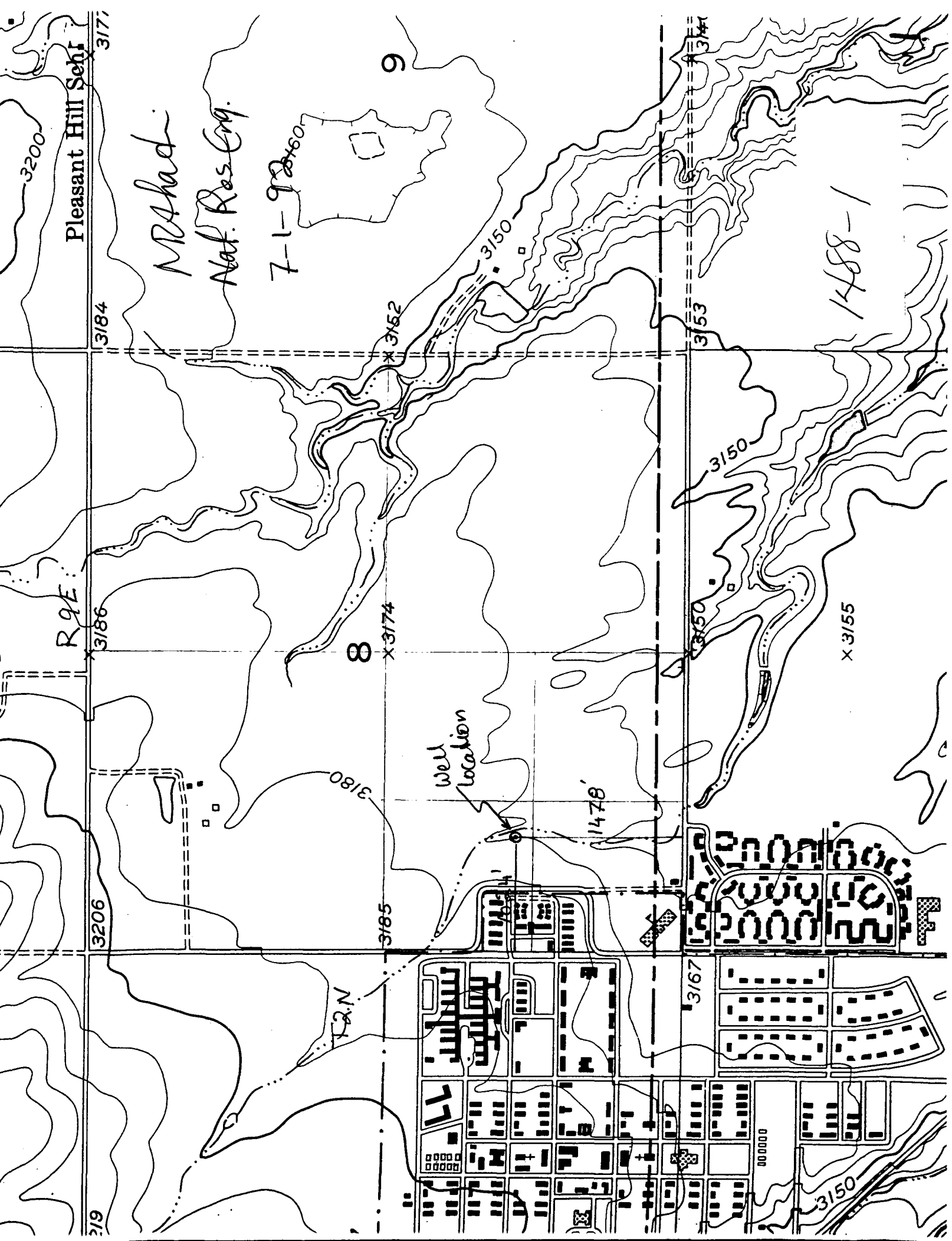
- a) type Polyvinyl Chloride (PVC) b) size 4 inches c) length 100 feet

Water is pumped into a 17000 gallon tank.

**PERMIT QUALIFICATIONS AND REGULATIONS:**

- a) Soil and water permit lands agree with lands being irrigated and lands listed on permit NA (Y/N)  
b) Special qualifications to permit being abided by Y (Y/N)  
c) All structures, wells and lands on map Y (Y/N)  
d) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA (Y/N)

Water is used to supply the needs of 100 trailer houses.



Pleasant Hill Sch.

MR4had  
Nat. Res. Cng.

7-1-92

1488-1

well location

R9E

T2N

1478

8

9

319

3206

3186

3184

3171

3185

3174

3152

3167

3150

3153

3141

3155

3150

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1488-1

(1) A. Wayne Vig of 2 Hub Road, Ellsworth AFB, SD 57706 made Application No. 1488-1, April 10, 1990 for a water permit to appropriate 0.22 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for commercial and suburban housing development purposes. Permit No. 1488-1 with a priority date of April 10, 1990 was approved July 25, 1990 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before July 25, 1995 and for the application to beneficial use of said water on or before July 25, 1999.

The permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use" on November 19, 1990. The "Notice" indicated the diversion system was completed and water placed to beneficial use on November 1, 1990.

(2) It is certified that the applicant 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 0.2 cubic feet of water per second for beneficial use. The location of the diversion point is: approximately 1024 feet east and 1478 feet north of the SW corner of Section 8, T2N, R9E (NW 1/4 SW 1/4).

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

(4) Pursuant to Section 46-5-30.1 A. Wayne Vig of 2 Hub Road, Ellsworth AFB, SD 57706 the holder(s) and/or owner(s) of Water Permit No. 1488-1 is issued a license to appropriate water, the right to use 0.2 cubic feet of water per second from groundwater (one well) with a priority date of April 10, 1990 from the location specified in (2) of this license. The water is used in a trailer court for drinking and culinary purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 1488-1 and subject to South Dakota State Law.

 DEC 4 1992  
JOHN HATCH, Chief Engineer  
Water Rights Division  
Department of Environment and  
Natural Resources



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3181

DEC 4 1992

1488-1

A. Wayne Vig  
2 Hub Road  
Ellsworth AFB, SD 57706

Dear Mr. Vig:

Enclosed is Water License No. 1488-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413511 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

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. 1488-1, 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.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Division  
(605) 773-3352

enclosures



1488-1

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

October 18, 2006

591-2  
1488-1

Al Todd  
Public Works Director  
City of Box Elder  
520 N Ellsworth Rd #90C  
Box Elder SD 57719

Dear Mr. Todd:

I am contacting you in follow-up to your email communication with Eric Gronlund with our program concerning the transfer of two water rights held by A Wayne Vig. I have included copies of the water rights in the event you do not have them.

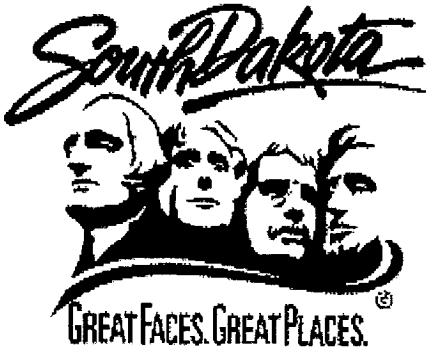
Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Upon completion, please sign the forms and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

April 22, 2009

591-2  
1488-1

Al Todd  
Public Works Director  
City of Box Elder  
520 N Ellsworth Rd #90C  
Box Elder SD 57719

Dear Mr. Todd:

This letter is in regard to Water Right Nos. 591-2 and 1488-1 currently listed in the name of A Wayne Vig (copies enclosed). Back in 2006, I mailed you "Notice of Transfer of Ownership" forms based on an email communication you had with Eric Gronlund in our office. I didn't realize until reviewing the files today that we did not receive anything back. Are the water rights still supposed to be transferred?

Enclosed is an additional set of forms for filing the ownership changes. The forms should be completed and returned to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

Please be advised that the Legislature passed a bill this year raising the filing fees on applications, licenses and ownership changes. The fee increases will become effective July 1, 2009. The fee increase for an ownership change will be raised from \$2.50 to \$50.00. We will be required to assess the increased fee of \$50.00 (**each**) for any ownership change filed after July 1<sup>st</sup>.

To avoid having to pay the higher fee, please submit the enclosed transfer forms and remit the \$5.00 in filing fees as soon as possible. If the water rights are no longer supposed to be transferred, let me know.

Sincerely,

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

enclosures

1488-1



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

July 31, 2013

591-2  
1488-1

Al Todd  
Public Works Director  
City of Box Elder  
420 Villa Dr  
Box Elder SD 57719 2000

Dear Mr. Todd:

This letter is in regard to Water Right Nos. 591-2 and 1488-1 currently listed in the name of A Wayne Vig (copies enclosed). A review of these files found that you had spoken with Eric Gronlund back in 2006 concerning the need for ownership changes. The forms for filing the ownership changes were mailed to you in 2006 and again in 2009 but to date we have not received anything back from you. I have included copies of those letters for your review.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (**total of \$100**). The check or money order for the fee can be made payable to the Water Rights Program.

We would like to get the water rights updated with current land ownership. Please take a few minutes to review the copies of the water rights and let us know whether or not the city still owns the wells. If the city of Box Elder does not own the wells or does not wish to have the water rights transferred, we need to know this so we can proceed with either contacting a new owner or possibly cancelling the water rights due to abandonment and/or forfeiture.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath  
Water Rights Program  
(605) 773-3352

enclosures

## NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

AUG - 7 2013

WATER RIGHTS  
PROGRAM

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

No. 1488-1

Date: 08-07-2013

I/We request that Water Right No. 1488-1

formerly owned by: A Wayne Vig

be transferred to: (name & address) CITY OF BOX BLDER  
420 VILLA DR. BOX BLDER, SD, 57719  
Telephone No. 605-923-1404

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

location of well: NW 1/4 SW 1/4 Section 8, T2N, R9E

I/We understand that the validity of Water Right No. 1488-1 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 Fifty Dollars (\$50.00) 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 CITY OF BOX BLDER, the new owner, certify that the above information is true and  
AL TODD-PW DIRECTOR correct.

  
(Signed by new owner)

**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 8/7, 20 13

RECEIVED OF City of Box Elder 420 Villa Dr Box Elder SD 57719

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

|                                                                                                                |       |       |
|----------------------------------------------------------------------------------------------------------------|-------|-------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use | 50    | 00    |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   |       |       |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                         |       |       |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____            |       |       |
| Fee for Filing Transfer Form <u>1488-1</u>                                                                     |       |       |
| Fee for _____                                                                                                  |       |       |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                            |       |       |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                             |       |       |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                         |       |       |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |       |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 50 00 |

No. **06399**

By Jeanne Holman  
Chief Engineer

1488-1



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 7, 2013

591-2  
1488-1

Al Todd  
Public Works Director  
City of Box Elder  
420 Villa Dr  
Box Elder SD 57719 2000

Dear Mr. Todd:

I am writing to acknowledge receipt of the ownership changes and filing fees submitted for Water Right Nos. 591-2 and 1488-1.

The ownership changes have been completed. The water rights formerly held by A Wayne Vig are now listed as being held by the City of Box Elder.

Enclosed for your records are Receipt Nos. 06398 and 06399 in the amounts of \$50.00 each. If you have any questions, please contact me.

Sincerely,

Genny McMath  
Water Rights Program  
(605) 773-3352

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