

Considered: _____

WATER PERMIT NO. 1500-1

Phone: 605 348-7220

Name of Applicant: NuHome Inc. c/o Dennis Dressen, Pres. Work 787-4444

Post Office Address: RR6, Box 3680
1328 State St, Rapid City SD 57702

Amount of Water Claimed: 0.08 (37 gpm) Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: Suburban Housing County: Lawrence

About _____ miles _____ of Spearfish

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F.& C/.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received: 12-7-90 Fee: \$50.00 Remarks _____

Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: NW 1/4 SE 1/4 31-7-28

Land to be Irrigated: NA

x	x	31			

Well Log: Driller: Ellingson Drilling Licensed YES X NO _____

Depth of Well: 454' REMARKS _____

Type of Map: plat PREPARED BY: Fred Brady Reviewed and the Number

Assigned on 12-12-90 By Karen Schlaak

SOUTH DAKOTA
WATER PERMIT No. 1500-1

Date of first receipt of application December 7, 1990.

Date of return to applicant for corrections, amendments or changes
December 13, 1991. ¹⁹⁹⁰

Date of receipt of corrected application January 28, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1500-1 to NuHome Inc., c/o Dennis Dressen, RR 6, Box 3680, Rapid City, SD 57702 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. 1500-1 appropriates 37 gallons per minute (0.08 cfs) from one proposed well (Minnelusa Formation) 454 feet deep and one existing well (Minnekahta Formation) 367 feet deep both located in the NW1/4 SE1/4 Section 31, T7N, R2E.
2. The water appropriated shall be used for the purpose of supplying water for the housing development and may not exceed the amount of water needed for beneficial use for a suburban housing development.
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. 1500-1 is May 1, 1991.
5. The date from which applicant may claim right is December 7, 1990.
6. One-fifth of the construction is to be completed on or before November 1, 1993.
7. All construction is to be completed on or before May 1, 1996.
8. Water is to be put to beneficial use on or before May 1, 2000.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifers. 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.

(continued)

2. The Minnelusa well authorized by Permit No. 1500-1 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.

WATER MANAGEMENT BOARD

By:


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

MAY 29 1991

(date)

No. 1500-1	Hydrologic Unit 10120203
Map No. _____	Basin Belle Fourche R.
Newspaper Spearfish Daily Queen City Mail	
Box 7 (Daily)	

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 Dennis Dressene Nuhome Inc Phone No. (605) 348-7220Post Office Address 1328 State St. Rapid City State SD 57702
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) 37 ~~25~~ g.p.m. 0.08 cfs3. Source of water supply 2 wells - groundwater4. Location of point of diversion LOT 48 NW 1/4 SE 1/4 S-31, T7N, R92E, B4MCounty Lawrence5. Counties where water will be used Lawrence6. Annual period during which water is to be used 12 mo Jan 1 - Dec 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)

9 LOTS for double wide mobile homes

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 Pennington ssI, Nu Home Inc. Dennis Dressen Pres 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 Nu Home Inc. Dennis Dressen PresSubscribed and sworn to before me this 6th day of December 19 90My Commission
Expires 6-21-1993Aue Lundberg
Notary Public

Proposed well Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 1 7/8 to 440' Depth 4 3/4 440-454'
- b) Casing Type PUC Diameter 5 1/2 OD Thickness 200 #
- c) Screen Type — Diameter — Thickness —
- d) Gravel Pack Thickness — Length of Gravel Pack —
- e) Depth to Top of Water Bearing Material 426'
- f) Depth to Water (ground surface to water level) 80'
- g) Distance to nearest existing domestic well: 300'
- On applicants property — On property owned by others —

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 _____

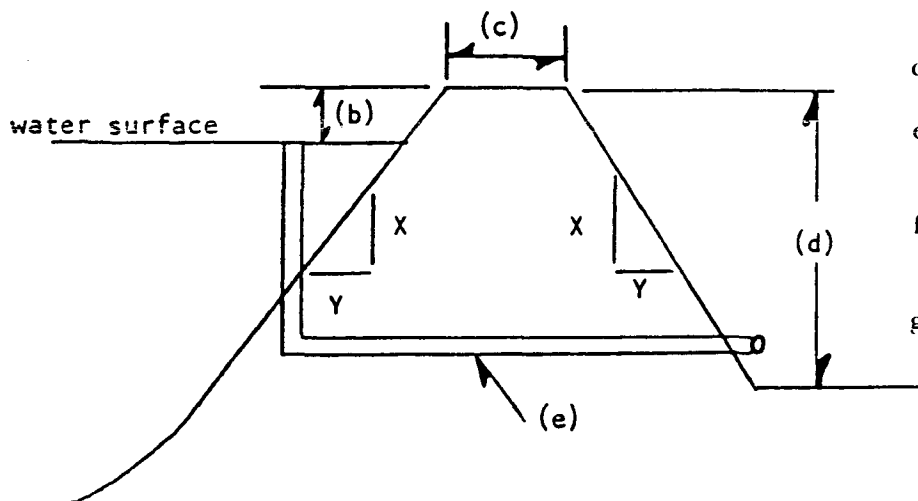
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Nel Home Trudy Allen-Thomas Pres
 Signature of Applicant

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412439

Pierre, _____ December 10, _____, 1990

RECEIVED OF Rapid City Nulme, Inc., Box 597, Rapid City SD 57713-0597

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

Fee for Application for Permit No. <u>1506-1</u> to Appropriate Water, to construct works 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 _____		
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	50 00

By John Watchman
Chief Engineer

LOT #4

Location of well: NW 1/4 SE 1/4 Section 31 Township 7N Range 2E
Well owner Everett MacKalen RR 1 Spearfish
(Name) (Address)
Date well drilling completed 9-85 Purpose of well domestic
(domestic, irrigation, municipal, industrial, other)

Attach sheet if more space is needed

Jerry Ellingson
Name of Drilling Contractor

122232425268728293031-123456789101112131415161718192021

JAN 1991

DIVISION OF
WATER RIGHTS

Pierre, SD

Name of Pump Installation Contractor

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location Lot 7 NW 1/4 SE 1/4 Sec 31 Twp 2N Rg 2E

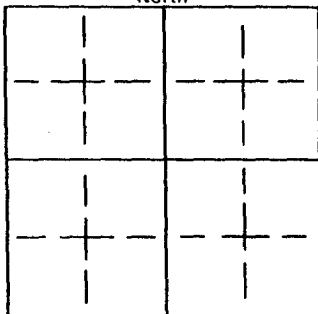
County

Lawrence

North

W

E



1 mile

Please mark well location with an "X"

Well Completion Date 11-1 91

PROPOSED USE:

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

Method of Drilling:

Rotary

CASING DATA:

- ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>15</u> LB/FT	<u>5 1/2</u> IN	<u>0</u> FT	<u>590</u> FT	<u>7 3/4</u> IN
_____ LB/FT	_____ IN	<u>590</u> FT	<u>697</u> FT	<u>7 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? 590 FEET

What is grouting material? Cement

If cement, number of sacks? 85

Describe grouting procedure _____

What was grout weight? 6 gal p bag 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 _____

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name DENNES DRESSER

Address 1328 State St. RAPID CITY S.D.

Well Log: Depth

Formation	From	To
<u>Spearfish</u>	<u>0</u>	<u>292</u>
<u>MINNEKAHTA</u>	<u>292</u>	<u>328</u>
<u>OPECHE</u>	<u>328</u>	<u>426</u>
<u>MINNEKAHTA CAP</u>	<u>426</u>	<u>428</u>
<u>Sand + lime</u>	<u>428</u>	<u>450</u>
<u>Sand</u>	<u>450</u>	<u>460</u>
<u>hard lime</u>	<u>460</u>	<u>480</u>
<u>SOFT SAND</u>	<u>480</u>	<u>482</u>
<u>PINK lime + shale</u>	<u>482</u>	<u>570</u>
<u>Purple clay</u>	<u>570</u>	<u>575</u>
<u>grey limestone</u>	<u>575</u>	<u>620</u>
<u>PINK Sand + lime</u>	<u>620</u>	<u>697</u>

STATIC WATER LEVEL 0

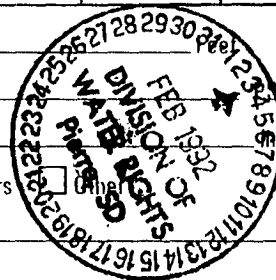
If flowing: closed in pressure _____

GPM flow 1 through _____ pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____



WELL TEST DATA:

☐ Pumped

Air Pumped

☐ Bailed

Describe: 35 g P m w 300

☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS: well started making sand @ 450-460 level cased off drilled to 697'

Test hole drilled 11-90 to 15'

This well was drilled under license # 93

And this report is true and accurate.

Drilling firm Ellingson Drilling

Signature of License Representative:

Gary Ellingson

Signature of Well Owner:

Date 1-28-91

COPY

78-1867

3-13 To 87 mm
thin 86 Rd.

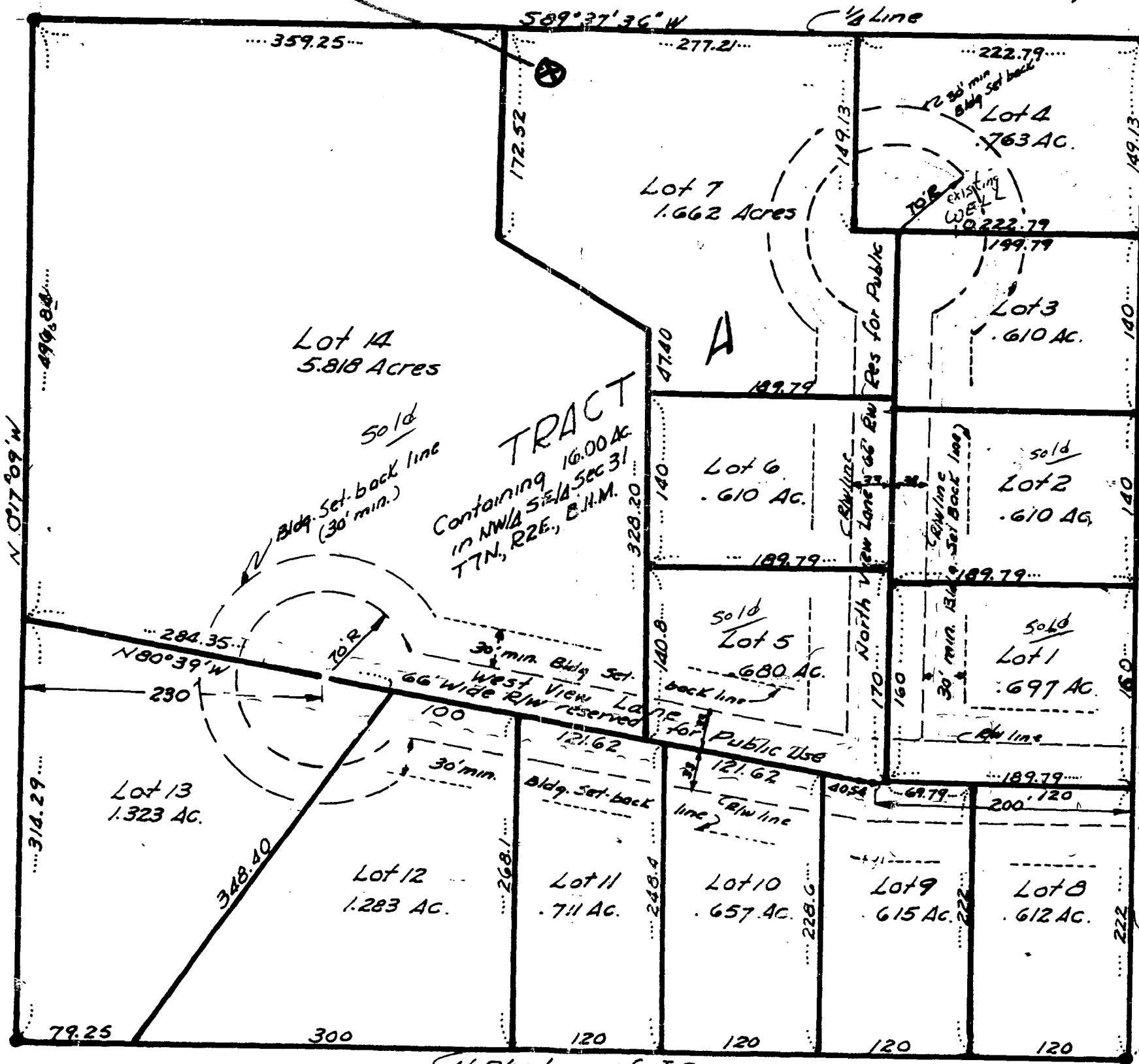


New Well

E. Mackaben Development #3

78-1867

Replat of E. Mackaben Development #3 (TRACT A) containing 16.00 Acres
in NW 1/4 SE 1/4 Sec 31, T7N, R2E, BHM. into Lots 1 through 14 inclusive



Approved By:
Lawrence Co. Planning Comm.
This Date: 5/9/78
Attest: *[Signature]*
[Signature]

Scale: 1" = 100'

Note: A 12' wide utility easement is reserved on the interior of North, West & South exterior boundary. A 6' wide utility easement is reserved on either side of all interior lot lines. Water Utility easement is reserved within the 66' R/W reserved for public use. (Community Water system)

.3 mile graded & gravelled road in 66' R/W to paved access Hwy.

NO PUBLIC OR SUBDIVISION SANITARY SEWER SYSTEM AVAILABLE OR PROPOSED.

I, Fred D. Brady, Registered Professional Engineer & Land Surveyor do hereby certify that at the direction of the owners, I have surveyed & replatted E. Mackaben Development #3 (TRACT A) into Lots 1 through 14 inclusive as shown hereon.

F. D. Brady 1500-1

Conversation or File Documentation

NAME OF PERSON OR FILE: Dennis Dressen, Nuttome Inc.ADDRESS: _____ COUNTY Lawrence CountyDATE: 12/13/90 TELEPHONE 787-4444

RE: _____

COMMENTS:

Westview
Subdivision Called Mr. Dressen regarding well permitted under No. 1164-1, which is approx. 300' from well proposed in this application. This is not a replacement well for well under No. 1164-1. The 1164-1 well has diminished ^{to 12gpm} ~~as~~ production and the subdivision needs additional water. ~~What~~

From my conversation, it is my understanding that the water supply system for Westview subdivision and Nuttome, Inc. is ~~basically~~ a joint system.

1/17/91 ~~Upon~~ There was some discrepancy in the well located approximately 300' from this pending application. It was initially believed that this well was covered under WR No. 1164-1 however this well is located on the east side of Section 31 (NE $\frac{1}{4}$ SE $\frac{1}{4}$) where this application is said to be located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$. I called Mr. Dressen regarding this and he stated there was a well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Mackaben Dev. No. 2) and that this well must be the one permitted under WR No. 1164-1. The other well in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ is not permitted. Mr. Dressen is going send me a copy of the well log and a request for an additional diversion point ~~to~~ to their existing application.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Thornlund

Rapid City NuHome Inc
RR6 Box 3680
Rapid City, So. Dak. 57702

Dear Sirs;

This is in reference to E. Mackaben
Development #3.

We would like to add an amendment to
the original request for a water permit on Lot 7
NW 1/4 SE 1/4 S-31 T9N Rg 2 E BHM

There is an existing water well on Lot
#4 NW 1/4 SE 1/4 Section 31 Township 9N Range 2E
This well has 4 existing families taking water
from this well. The well only pumps 7 to 12
gallons of water per minute and provides for
mainly drinking purposes only.

By combining both wells and with a small
holding tank this will help provide water to
the existing homes and new homes to be added.

As per my phone conversation with Erik
Granlund 1-22-91 it is possible to add
both wells on 1 permit.

If there should be any further
questions please contact Denny with
Rapid City, NuHome Inc.

Thanks for your help

Denny Brecken
605-987-4444





DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 15, 1991

Dennis Dressen
NuHome, Inc.
RR 6, Box 3680
Rapid City, SD 57702

Dear Mr. Dressen:

I am writing in regards to the status of the water permit application for NuHome, Inc., as per our recent phone conversation. Currently, the application is in the process of having a report prepared by a staff engineer which investigates whether 1) unappropriated water is available; 2) existing rights will be in anyway unlawfully impaired; 3) it is a beneficial use of water; and 4) it is in the public interest. The preparation of a report prior to the chief engineer's recommendation and the publication of the notice of hearing is a standard procedure in processing all water permit applications. Unfortunately, this process is time consuming especially when dealing with the large number of applications we receive this time of year.

Upon completion of the report and the chief engineer's recommendation, a notice of hearing on this application will be scheduled to be published for two consecutive weeks in a local newspaper. You will receive a copy of this report, recommendation and notice of hearing and be asked to contact the newspaper to authorize publication. If no opposition is received to this application and you are in concurrence with the chief engineer's recommendation, a water permit can be issued 20 days after the last publication date in accordance with state law.

Currently, NuHome, Inc. has a complete water permit application filed with this office and we are processing the application in accordance with state statutes. If you have any questions on the permitting process or status of your application, please feel free to contact me.

Sincerely,

Eric Gronlund
Eric Gronlund
Water Rights Division
605 773-3352

REPORT ON APPLICATION NO. 1500-1
for NuHome Inc.
March 15, 1991

This application proposes to appropriate 0.08 cfs from one proposed 454 feet deep well and one existing 367 feet deep well both located in the NW 1/4 SE 1/4 of section 31, T7N R2E BHM in Lawrence County. The water is to be used to supply a suburban housing development.

AQUIFER - MINNELUSA (MNLS), MINNEKAHTA (MNKT)

The existing well is completed into the Minnekahta Limestone and the proposed well will be completed into the Minnelusa Formation.

The Minnelusa is an assemblage of sandstones, dolomite and limestone which is approximately 500 feet thick in this area. The Minnelusa underlies 199,680 acres and contains approximately 5.59 million acre feet of recoverable water in Lawrence County (Allen, 1984). The Minnelusa is under artesian conditions and according to the test well log submitted with the application was encountered 426 feet below land surface and had a static water level of 80 feet. The test well was only drilled 28 feet into the Minnelusa and reportedly was capable of producing 25 gpm. The proposed well could be drilled deeper into the Minnelusa and obtain more water.

The Minnekahta Limestone is a nearly pure limestone which is generally about 40 feet thick in this area. The Minnekahta underlies 126,080 acres and contains an estimated 315,200 acre feet of recoverable water in Lawrence County (Allen, 1984). The Minnekahta is under artesian conditions and according to the completion report filed with the application was encountered at a depth of 330 feet below land surface, completed to a depth of 367 feet and had a static water level of 60 feet below land surface. This well reportedly produced 12 gpm.

The Division of Water Rights does monitor two Minnelusa observation wells (LA-86A and LA-88B) and one Minnekahta well (LA-86B) in the Spearfish area. LA-86A and LA-86B are located about 1/2 mile southeast of this application. Water levels for these wells appear to fluctuate in response to climatic and seasonal conditions. There has been a total net decline of about 4 feet since LA-86A was installed, however, fluctuations greater than 4 feet occur annually and may be due to area withdrawals (seasonal use). There has been a total net decline of 32 feet since LA-86B was installed, however, these levels follow distinct trends which can be related to climatic conditions. Water levels for this well respond quickly to recharge and have recovered fully in one spring like 1989. The general trend of the water levels for both wells appear to be declining, however, this can be attributed to drought conditions (Water Rights, 1991). Overall the historical record is not sufficient to formulate additional conclusions, however, it is apparent that water availability from the Minnelusa and Minnekahta is not being impaired.

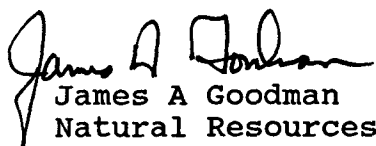
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing Water Permit No. 1337-1 from the Minnelusa located about 3/4 mile northeast of this application. Interference is not expected to be a problem. The diversion rate requested is relatively small and drawdowns caused by these withdrawals should not be significant.

There is one existing Water Right No. 1164-1 from the Minnekahta which is located approximately 600 feet east of the Minnekahta well for this application. Interference should not be a problem because of the relatively small diversion rates.

CONCLUSIONS

1. Water is available from the Minnelusa and from the Minnekahta.
2. The Minnelusa and Minnekahta are under artesian conditions and fluctuations due to pumping can be expected. The requested diversion rate is relatively small and any drawdowns should not be significant. Interference is not expected to be a problem.
3. The well authorized by this application must be completed in accordance with SD Well Construction Standards.
4. There is not enough information to determine if the existing Minnekahta well has been drilled in compliance with present SD Well Construction Standards. According to information supplied with the application this well is capable of 12 gpm and will be mixed with water from the new well to supply the housing development.



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 DWRN, SDGS, Vermillion, SD, 57069.

Water Rights, 1991, Minnelusa Observation Wells in Lawrence County, SD DWRN, Div. of Water Rights, Pierre, SD, 57501.

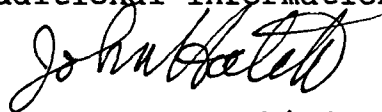
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1500-1, NuHome, Inc.

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. 1500-1, NuHome, Inc., c/o Dennis Dressen, President, RR 6 Box 3680, Rapid City, SD.

The Chief Engineer is recommending APPROVAL of Application No. 1500-1 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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The Minnelusa well authorized by Permit No. 1500-1 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.

See report on application for additional information.



JOHN HATCH, Chief Engineer
March 19, 1991



DEPARTMENT OF WATER & NATURAL RESOURCES

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

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

March 27, 1991

Dennis Dressen, President
NuHome, Inc.
RR 6 Box 3680
Rapid City, SD 57702

Dear Mr. Dressen:

Water Permit Application No. 1500-1 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 Publisher of the Spearfish Daily Queen City Mail printed at Spearfish, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has 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. The newspaper has 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
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.



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 27, 1991

Spearfish Daily Queen City Mail
Box 7
Spearfish, SD 57783

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1500-1 to be published twice. Please publish the first notice on April 3, 1991, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is NuHome, Inc., c/o Dennis Dressen, Pres., RR 6 Box 3680, Rapid City, SD 57702.

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. No action may be taken on the permit application 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 _____

Instruction to Newspaper - Publish first Notice on April 3, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1500-1 to Appropriate Water

Notice is given that NuHome Inc., c/o Dennis Dressen, President, RR 6, Box 3680, Rapid City, SD 57702 has filed an application for a water permit to appropriate 37 gallons per minute (0.08 cfs) from one proposed well (Minnelusa Formation) 454 feet deep and one existing well (Minnekahta Formation) 367 feet deep both located in the NW 1/4 SE 1/4 Section 31-T7N-R2E for a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1500-1 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, 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 April 22, 1991. 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.

For purposes of publishing 1) the notice of hearing on Application No. 1500-1 and 2) the chief engineer's recommendation, a Board meeting is scheduled for May 1, 1991, at 10:00 am in the meeting room at Chef Louie's, 601 E. Havens, Mitchell, SD. If this application is opposed or the recommendation is contested, the May 1, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The May 1, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by April 22, 1991.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

4/3/91

Mr. Grantlund:

We are unable to locate the letter for the Notice of Hearing on Application No. 1500-1 to Appropriate Water for the applicant Nuttall, Inc. Please send an affidavit so I may return it as well as the second publication. I am enclosing a copy of the first publication for your perusal.

Thank you —

Karen
Penton Publishing
642-2761

sent from 4/8/91
Karen

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lawrence) ss.

I, James C. Perry
certify that the attached printed Notice was
from the Sioux City Mail

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

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

April 3, 1991
April 10, 1991

James C. Perry
(Signature)
Accounts Receivable Manager
(Title)
April 10, 1991
(Date Signed)

Cost of Printing: 53.09

(Cont. from Page 3)
NOTICE OF HEARING
on Application No. 1500-1
to Appropriate Water

Notice is given that NuHome Inc., c/o Dennis Dressen, President, RR 6, box 3680, Rapid City, SD 57702 has filed an application for a water permit to appropriate 37 gallons per minute (0.08 cfs) from one proposed well (Mimelusa Formation) 454 feet deep and one existing well (Mimelusa Formation) 367 feet deep both located in the NW 1/4 SE 1/4 Section 31-T7N-R2E for a suburban housing development.

Pursuant to SDCL 46-2A-2, the chief engineer recommends APPROVAL OF Application No. 1500-1 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, 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 April 22, 1991. 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.

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time and place will be given by First class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The May 1, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by April 22, 1991.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; or Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

April 3, 1991
S-3
(Cont on Page 6)



GREAT FACES. GREAT PLACES.

MAY 29 1991

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

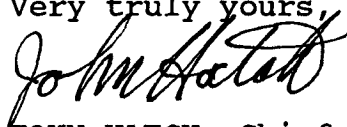
1500-1

NuHome Inc.
% Dennis Dressen
RR 6, Box 3680
Rapid City, SD 57702

Dear Mr. Dressen:

Enclosed is Water Permit No. 1500-1 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 31, 1995

1500-1

Dennis Dressen
NuHome, Inc.
4720 N Hwy 79
Rapid City, SD 57702

Dear Mr. Dressen:

I am writing to acknowledge receipt of your "*Notice of Completion of Works and Application of Water to Beneficial Use*" and also to return the form to you for some minor additions.

The area towards the bottom of the form which includes dates for completion of works and application of water to beneficial use, needs to be filled in. The dates do not have to be specific and can be written in as month & year (i.e., June, 1995).

I am enclosing a postage paid envelope for your reply. Thank you and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures



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

Date August 28, 1995

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

FROM: Rapid City Nu 4720 N. Hwy 79 Rapid City, SD
name address city 57702

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. 1500-1.

Water Permit No. 1500-1 states that the diversion system is to be constructed by May 1, 1996, and that the water it put to beneficial use by May 1, 2000.

The diversion system was completed on 6-29-95.
Applying the water to beneficial use was completed on 6-29-95.

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

Dennis Dussan

signature



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 1998

1500-1

Jim Czywczynski
& Dennis Dressen
8700 Heather Drive
Rapid City SD 57702

Dear Sirs:

The investigation of the water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 1500-1, was completed by Ken Buhler on September 17, 1997. The final water right document, the Water License, can now be issued.

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

Also, enclosed is another *Notice of Transfer of Ownership* form. This form needs to be completed, signed by the new owners, notarized and returned with a \$2.50 filing fee.

Please submit \$52.50 to: Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
(605) 773-3352

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 415665

Pierre, February 27, 19 98

RECEIVED OF Jim & Denny Investments, LLC, 4720 N. Hwy. 79, Rapid City, SD 57702
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 Water Permit No. 1500-1

2 50

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By _____
Chief Engineer

John Hatch

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1500-1



Date:

2/24/98

I/We request that Water Permit No. 1500-1

formerly owned by: NuHome Inc.

be transferred to: (name & address)

Jim & Denny Investments, LLC
Telephone No. 605-787-4444

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

2 wells located in the NW 1/4 SE 1/4 Section 31-T7N-R2E for a suburban housing development

I/We understand that the validity of Water Permit No. 1500-1 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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Pennington)

I/We JAMES C. CZUCZYNSKI, being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

[Signature]
(Signed)

Subscribed and sworn to before me this

24 day of FEBRUARY, 19 98.

[Signature]
(Notary Public)

My Commission Expires
Jan. 19, 2002

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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

No 415666

Pierre, February 27, 19 98

RECEIVED OF Jim & Denny Investments, LLC, 4720 N. Hwy. 79, Rapid City, SD 57702
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. 1500-1

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By _____
Chief Engineer

John Hatcher (signature)

Permit No. 1500-1
Belle Fourche River - Water District

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

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **September 17, 1997**, made a thorough examination of the water use system constructed by **NuHome Inc. of Spearfish, SD** holder of Permit No. **1500-1**, bearing the priority of **December 7, 1990** authorizing the diversion of **0.08** cu. ft. per second of the waters of **groundwater** for **suburban housing** purposes, in **Lawrence** County.

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

A. Works used to divert the water:

Water is diverted from one well 697 feet deep, cased with 5 ½-inch diameter steel casing with a 3 horsepower Meyers "SJ" submersible pump capable of diverting 23 gallons per minute, and from one well 367 feet deep cased with 4 ½-inch diameter steel casing with a 1 ½ horsepower Meyers submersible pump capable of diverting 7 gallons per minute .

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

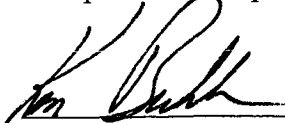
Water is transported to place through 2050 feet of 2-inch diameter PVC.

C. Works used to apply water to beneficial use:

Water is applied to beneficial use for suburban housing.

The system is in the following condition **good**. The points of diversion are located **2530 feet north and 1440 feet west of the south east corner of Sec. 31, T7N-R2E (NE¼NE¼NW¼SE¼ Sec. 31, T7N-R2E) and 2610 feet north and 1780 feet west of the south east corner of Sec.31, T7N-R2E (NE¼NW¼NW¼SE¼ Sec.31, T7N-R2E)**. The works are capable of diverting and conveying to the place of use **0.06** cu. ft. per second of water which is to be used for **suburban housing use**. The license should be issued for **0.06** cfs. Applicable permit qualifications have been complied with: **yes**

Exceptions to compliance are: **n/a**



Ken Buhler
Natural Resources Engineer
DENR, Water Rights Program

2/11/98

Date

REPORT ON INSPECTION OF PERMIT NO. 1500-1

Other permit(s) associated with the project: none

NAME & ADDRESS OF INSPECTION CONTACT Ray Peck

307 Westview Road

Spearfish, SD 57783

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: system operator

NAME & ADDRESS OF PERMIT HOLDER: Jim Czywczynski and Dennis Dressen

8700 Heather Drive

Rapid City, SD 57702

DATE OF INSPECTION: September 17, 1998

DIVERSION POINT LEGAL LOCATION: #1 2530 feet north and 1440 feet west of the south east corner of Sec. 31, T7N-R2E (NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, T7N-R2E)

#2 2610 feet north and 1780 feet West of the south east corner of Sec.31, T7N-R2E (NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.31, T7N-R2E)

WELL INFORMATION:

Well #1	Well #2
1) Well Drilling Firm: <u>Ellingson Drilling</u>	1) Well Drilling Firm: <u>Ellingson Drilling</u>
2) Depth <u>330</u> feet	2) Depth(s) <u>454</u> feet
3) Well log is available <u>yes</u>	3) Well construction info available <u>yes</u>
Casing:	Casing:
1) Diameter <u>4 1/2</u> inches	1) Diameter <u>5</u> inches
2) Length <u>333</u> feet	2) Length <u>590</u> feet
3) Type <u>steel</u>	3) Type <u>steel</u>

Screen:	Screen:
1) Type: <u>none- open hole Completion</u>	1) Type: <u>none- open hole Completion</u>
2) Length: <u>34</u> feet open hole	2) Length: <u>93</u> feet open hole
3) Static Water Level: <u>60</u> feet	3) Static Water Level: <u>80</u> feet at completion, flowing 1gpm at inspection
Pump:	Pump:
1) Type: <u>Meyers Submersible</u>	1) Type: <u>Meyers "SJ" Submersible (18813A250)</u>
2) Horsepower rating <u>1 ½</u> HP	2) Horsepower rating <u>3</u> HP
3) Size: <u>4 inch</u>	2) Size: <u>5 inch</u>
4) Capacity <u>7</u> GPM	4) Capacity <u>23</u> GPM

DISTRIBUTION LINES OR CANALS:

1) Type PVC 2) Size 2 inches 3) Length 2050 feet

SYSTEM SUMMARY:

Submersible pump in well pumps to a Meyers Centrifugal Pump (Catalog # 125M-3 11703565, Impeller Diameter 5 13/15, Serial # 974 82) to 3 pressure tanks (Well-x-trol WX350). From the pressure tanks the 2-inch diameter transmission line makes a loop to the five houses on the system (lot 1, 2, 5, 11, and 14)

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1500-1

(1) NuHome Inc., Spearfish SD made Application No. 1500-1, December 7, 1990 for a water permit to divert 0.08 cubic feet of water per second from groundwater (two wells), Lawrence County, South Dakota for suburban housing development purposes. Permit No. 1500-1, with a priority date of December 7, 1990 was approved May 1, 1991 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 1, 1996 and for the application to beneficial use of said water on or before May 1, 2000.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on September 8, 1995. The *Notice* stated the diversion system was completed on June 29, 1995 and the water placed to beneficial use on June 29, 1995.

On February 27, 1998, Water Permit No. 1500-1 was transferred to Jim & Denny Investments, LLC.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.066 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 2,530 feet north and 1,440 feet west of the southeast corner of Section 31 and Well #2 - 2,610 feet north and 1,780 feet west of the southeast corner of Section 31; all in T7N-R2E (NW 1/4 SE 1/4).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Jim & Denny Investments, LLC, c/o James Czywczynski, 4720 N Hwy 79, Rapid City SD 57702 the holder and/or owner of Water Permit No. 1500-1 is issued a license to appropriate water, the right to use 0.066 cubic feet of water per second from groundwater (two wells) with a priority date of December 7, 1990 from the locations specified in (2) of this license for the purpose of suburban housing development. This license is subject to any limitations or qualifications listed in Water Permit No. 1500-1 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 23 1998

date



SEC 31, T7N, R2E

WOODEN POLE TRANS LINE

[Signature]
NATURAL RESOURCES ENGINEER
DENR - WATER RIGHTS PROGRAM

WELLS TANKS

WELL 1780

Well

1500-1

3565T

3552T

3572T

3574T

3594T

32

3596T

3677T

3579T

BM 3543

3659AT

K

240

230

3679



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

1500-1

Jim & Denny Investments, LLC
%James Czywczynski
4720 N. Hwy. 79
Rapid City, SD 57702

Dear Mr. Czywczynski:

Enclosed is Water License No. 1500-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 415665 and 415666 in the amounts of \$2.50 and \$50.00 which you paid for the transfer of ownership, investigation 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. 1500-1, 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 Program
(605) 773-3352

ks
enclosures