

Considered: _____

WATER PERMIT NO. 1501-1

Phone: 584-3510

Name of Applicant: Cheyenne Crossing Store

Post Office Address: HC 37, Box 1220, Lead SD 57754

Amount of Water Claimed: 15 gpm 0.03 cfs Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial County: Lawrence

About 4 S, 4W miles _____ of Lead

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received: 12-11-90 Fee: \$50.00 Remarks _____

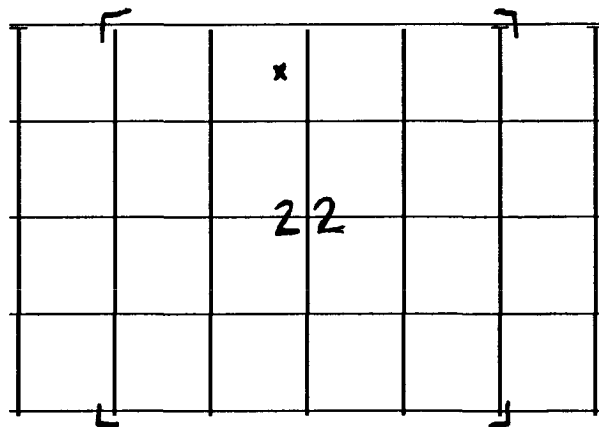
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: NE 1/4 NW 1/4 22-T4N-R2E

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 30-35 feet REMARKS no well log available

Type of Map: plat PREPARED BY: Robert J Sliper Reviewed and the Number

Assigned on 12-26-90 By Karen Schlaak

SOUTH DAKOTA
WATER PERMIT No. 1501-1

Date of first receipt of application December 11, 1990.

Date of return to applicant for corrections, amendments or changes
December 21, 1990.

Date of receipt of corrected application December 21, 1990.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1501-1 to Cheyenne Crossing Store, HC 37, Box 1220, Lead SD 57745 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. 1501-1 appropriates 15 gallons per minute (0.03 cubic feet of water per second) from one well 30-35 feet deep located in the NE 1/4 NW 1/4 Section 22-T4N-R2E.
2. The water appropriated shall be used for the purpose of supply water to the store and may not exceed the amount of water needed for beneficial use for commercial purposes.
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. 1501-1 is May 1, 1991.
5. The date from which applicant may claim right is December 11, 1990.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: John M. Eales
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

SEP 27 1991

(date)

No. 1501-1 Hydrologic Unit 10120203
Map No. _____ Basin Belle Fourche R.
Newspaper Lead Daily Call, Box 876 (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 retained

Change 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 Cheyenne Crossing Store Phone No. 584-3510

Post Office Address HC-37 Box 1226, Lead State S.D. Zip Code 57754
(Street, RR or Box) (City)

2. Amount of water claimed (c.f.s.) 15 gpm (0.03 cfs)

3. Source of water supply Well

4. Location of point of diversion Section 22 T4N, R2E BHM
NE 1/4 NW 1/4

County Lawrence

5. Counties where water will be used Lawrence

6. Annual period during which water is to be used All year 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)

semi-public water system
cafe, bed & breakfast, country store

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 LAWRENCE)^{ss}

I, James O. Wehman 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 [Signature]

Subscribed and sworn to before me this 10 day of December 19 90

[Signature]
Notary Public

My commission expires 9-13-91

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- 30-35 ft
Well is approximately 30 years old
No other information is known
about it.
- a) Drill Hole Diameter UNKNOWN Depth 30-35 ft
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property None On property owned by others 175'

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 _____

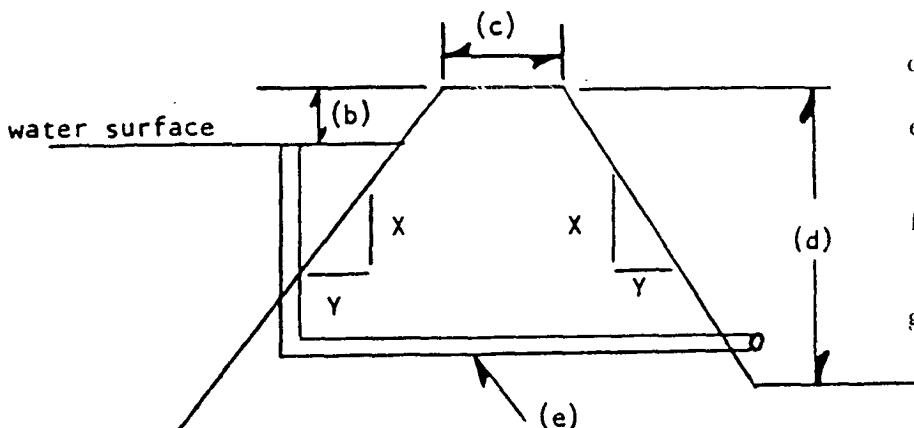
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412446

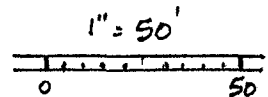
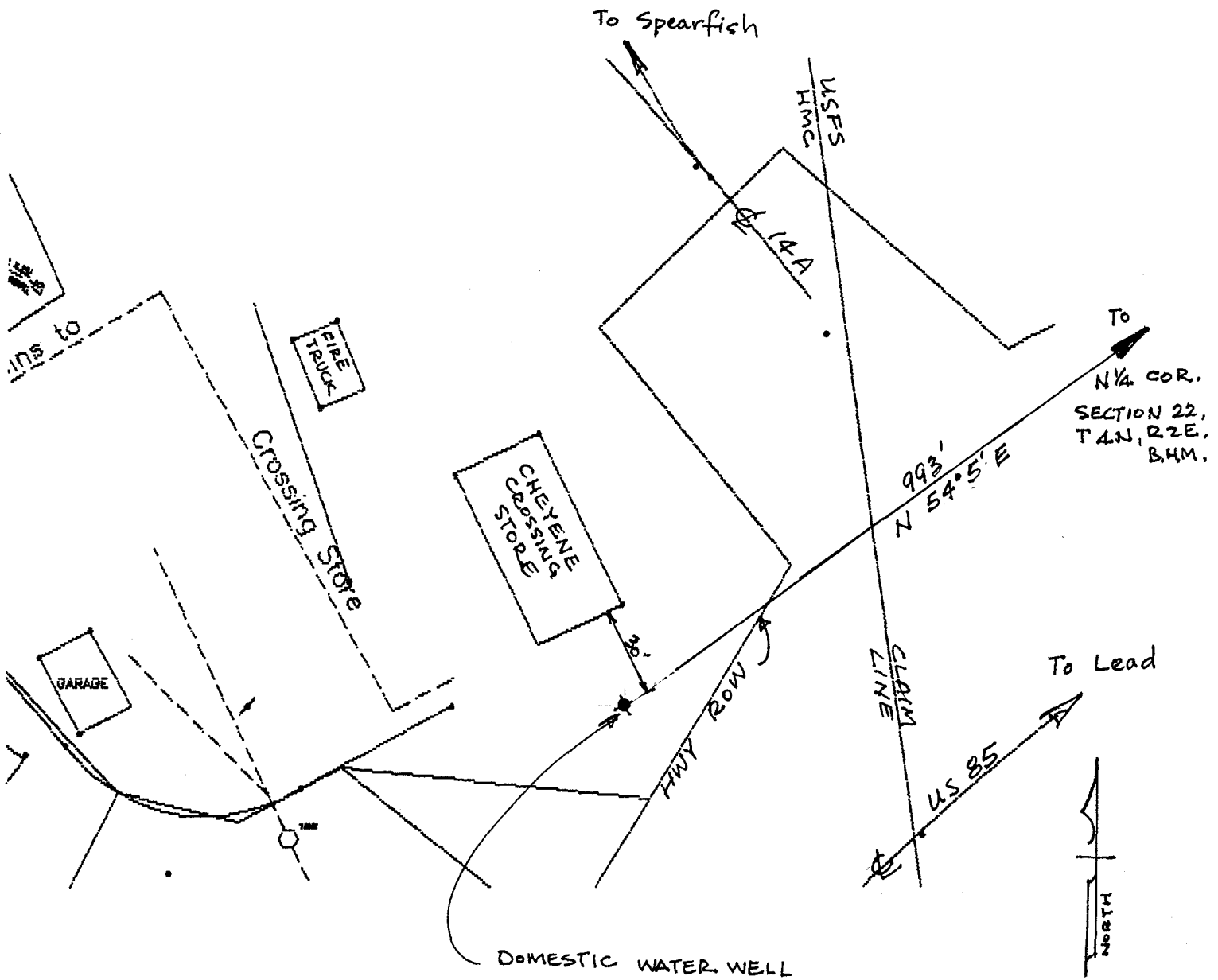
Pierre, December 13, 1990

RECEIVED OF Cheyenne Crossing Store, HC 37 Box 1220, Lead SD 57754

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

Fee for Application for Permit No. <u>1501-1</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 Hatch (signature)
Chief Engineer



DEC 10, 1990

Robert J. [Signature]

Conversation or File Documentation

NAME OF PERSON OR FILE: Cheyenne Crossing (Jim LeMar)ADDRESS: _____ COUNTY LawrenceDATE: 12/21/90 TELEPHONE 584-3510

RE: _____

COMMENTS:

Called Mr. LeMar to ask him the depth of well. He said it was between 30' - ~~30~~ 35' deep with a 6" casing. No well log is available ~~and~~ so in checking the files I found a well completion report from a half mile away that is in the same source.

Mr. LeMar also asked that I change the amount of water claimed to 15 gpm.

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 S. Gundlach 12/21/90

REPORT ON APPLICATION NO. 1501-1
for Cheyenne Crossing Store
January 17, 1991

This application proposes to appropriate 0.033 cfs (15 gpm) from one well approximately 35 feet deep located in the NE 1/4 NW 1/4 of section 22, T4N R2E BHM in Lawrence County. The water is being used for commercial purposes by the store.

AQUIFER - Alluvium (ALQ)

The alluvium consists of sands and gravels lying in the narrow high walled canyon of Spearfish Creek. The alluvium lies directly upon the Deadwood Formation which is also considered an aquifer in this area. The alluvium is hydraulically connected to Spearfish Creek and probably to the Deadwood Formation. The alluvium is under water table conditions. Well data for this area indicated the alluvium may be as much as 30 feet thick and have a static water level 7 to 8 feet below land surface (Well Files, 1991).

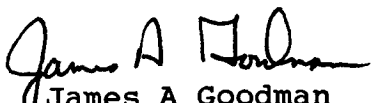
The Division of Water Rights does not monitor any observation wells in this area nor are there any estimates for water in storage for the alluvium in this area.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no existing water permits/rights in this area which obtain water from a ground water source.

CONCLUSIONS

1. Water is available from the alluvium.
2. Interference will not be a problem. This is a water table situation and the pumping rate is small.
3. There is no data available to evaluate the construction of this well other than the estimated depth and that the well has been used for about 30 years.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

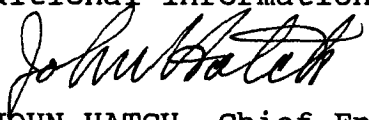
Well Files, 1991, Lawrence County Well Files, SD DWRN, Div. of Water Rights, Pierre, SD, 57501.

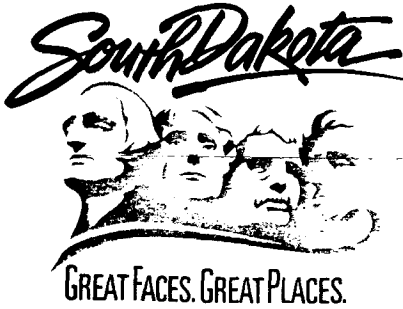
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1501-1, Cheyenne Crossing Store

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. 1501-1, Cheyenne Crossing Store, HC 37 Box 1220, Lead, SD.

The Chief Engineer is recommending APPROVAL of Application No. 1501-1 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.

See report on application for additional information.


JOHN HATCH, Chief Engineer
January 31, 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 19, 1991

James LeMar
Cheyenne Crossing Store
HC 37 Box 1220
Lead, SD 57754

Dear Mr. LeMar:

Water Permit Application No.1501-1 for commercial 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 Lead Daily Call printed at Lead, 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
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 19, 1991

Lead Daily Call
Box 876
Lead, SD 57754

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1501-1 to be published twice. Please publish the first notice on March 25, 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 the Cheyenne Crossing Store, HC 37, Box 1220, Lead SD 57754.

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
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 March 25, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1501-1 to Appropriate Water

Notice is given that the Cheyenne Crossing Store, HC 37 Box 1220, Lead SD 57754 has filed an application for a water permit to appropriate 15 gallons per minute from one well 30-35 feet deep located in the NE 1/4 NW 1/4 Section 22-T4N-R2E. Water is to be used for commercial purposes by the store.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1501-1 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. 1501-1 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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lawrence) ss.

I, Karen C Perry

certify that the attached printed Notice was taken
from the Lead Daily Call

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

City of Lead

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

March 25, 1991

April 1, 1991

Karen C Perry
(Signature)

Accounts Receivable Manager
(Title)

April 1, 1991
(Date Signed)

Cost of Printing: _____



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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.

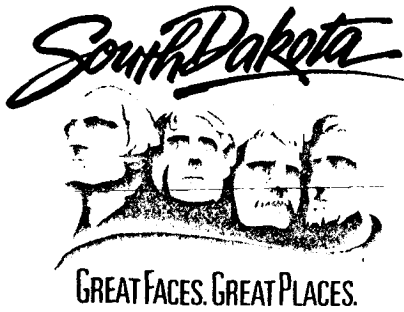
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601 E. Havens, Mitchell, SD. If this application is opposed or the recommendation is contested, the May 1, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and person 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.

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March 25
April 1
L-327



SEP 27 1991

James LeMar
Cheyenne Crossing Store
HC 37 Box 1220
Lead, SD 57754

Dear Mr. LeMar:

Enclosed is Water Permit No. 1501-1 authorizing construction of the water system and the application of water beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 1998

1501-1

Robert Ross
Cheyenne Crossing Store
HIC 37, Box 1220
Lead, SD 57754

Dear Mr. Ross:

The investigation of your water use system was conducted on September 18, 1997, by Ken Buhler, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1501-1. Your 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 from you, we will begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Cheryl F. Frost
Secretary
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

19 415692

Pierre, _____ March 16, 19 98

RECEIVED OF Cheyenne Crossing Store, HC 37, Box 1220, Lead, SD 57754
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. 1501-1

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 (Signature)

REPORT ON INSPECTION OF PERMIT NO. 1501-1

~~Other permit(s) associated with the project: none~~

NAME & ADDRESS OF INSPECTION CONTACT: Robert Ross

HC 37, Box 1220

Lead, SD 57754

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Cheyenne Crossing Store

HC 37, Box 1220

Lead, SD 57754

DATE OF INSPECTION: September 18, 1997

DIVERSION POINT LEGAL LOCATION: 2110 feet east and 795 feet south of the north west corner of Sec. 22, T4N-R2E, (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, T4N-R2E)

WELL INFORMATION:

- 1) Well Drilling Firm: Unknown
- 2) No. of Wells one
- 3) Depth(s) ? feet
- 4) Well log is available no

Casing:

- 1) Diameter 5 inches
- 2) Length unknown feet
- 3) Type steel

Screen:

- 1) Type unknown
- 2) Length unknown feet
- 3) Static water level unknown feet

Pump:

- 1) Make AO Smith jet pump
- 2) Model C56LID12A2
- 3) Capacity 15 GPM

Permit No. 1501-1
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 18, 1997**, made a thorough examination of the water use system constructed by **Cheyenne Crossing Store of Lead, SD** holder of Permit No. **1501-1**, bearing the priority of **December 11, 1990** authorizing the diversion of **0.03** cu. ft. per second of the waters of **groundwater** for **commercial** 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 a well located in the NE¼ SE¼ NE¼ NW¼ Sec. 22, T4N-R2E with a pump capable of diverting 15 gallons per minute.

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

Water is transported to place through 50 feet of 1 ½-inch diameter polyethylene pipe.

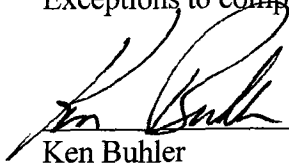
C. Works used to apply water to beneficial use:

Water is applied to beneficial use for the café, bed & breakfast, and restrooms.

The system is in the following condition **good**. The point of diversion is located **2110 feet east and 795 feet south of the north west corner of Sec. 22, T4N-R2E**. The works are capable of diverting and conveying to the place of use **0.03** cu. ft. per second of water which is to be used for **commercial use**. The license should be issued for **0.03** 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

DISTRIBUTION LINES OR CANALS:

- 1) Type Polyethylene 2) Size 1 ½ inches 3) Length 50 feet

SYSTEM SUMMARY:

Well is located under the café addition to the store. No well information is available other than provided with the application. The pump is located in the crawl space under the store approximately 20 feet from the well. Water is pumped to a Well-X-Trol WX 202 pressure tank from where it is distributed to the kitchen and restrooms.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period n/a

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1501-1

(1) Cheyenne Crossing Store, HC 37 Box 1220, Lead SD 57754 made Application No. 1501-1, December 11, 1990 for a water permit to divert 0.03 cubic feet of water per second from groundwater (one well), Lawrence County, South Dakota for commercial purposes. Permit No. 1501-1, with a priority date of December 11, 1990 was approved May 1, 1991 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(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 0.03 cubic feet of water per second for beneficial use. The location of the diversion point is 2,110 feet east and 795 feet south of the northwest corner of Section 22-T4N-R2E (NE 1/4 NW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for a cafe, bed & breakfast and restrooms.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Cheyenne Crossing Store, HC 37 Box 1220, Lead SD 57754 the holder and/or owner of Water Permit No. 1501-1 is issued a license to appropriate water, the right to use 0.03 cubic feet of water per second from groundwater (one well) with a priority date of December 11, 1990 from the location specified in (2) of this license for the purpose of commercial use. This license is subject to any limitations or qualifications listed in Water Permit No. 1501-1 and subject to South Dakota State Law.



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

APR 23 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

1501-1

Robert Ross
Cheyenne Crossing Store
HC 37, Box 1220
Lead, SD 57754

Dear Mr. Ross:

Enclosed is Water License No. 1501-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415692 in the amount of \$50.00 which you paid for the 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. 1501-1, 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

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 1501-1

Date: 10-16-03

I/We request that Water Right/Permit No. 1501-1 formerly owned by:

_____ be transferred to:

New Owner Name: Kathy A. Stewart

Address: 21415 US Hwy 14A

City, State, Zip Lead SD 57754

Telephone No. 605 584 3510

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

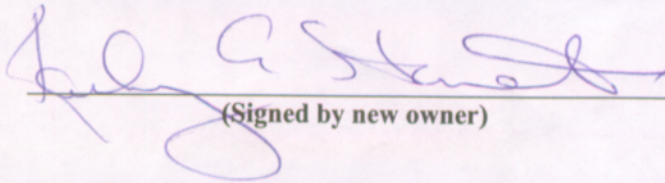
RECEIVED
OCT 20 2003
WATER RIGHTS
PROGRAM

☐ I understand that the validity of Water Right/Permit No. 1501-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Kathy A. Stewart, the new owner, certify that the above information is true and 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 29, 2003

No. 1501-1

Kathy A Steward
21415 US Hwy 14A
Lead SD 57754

Dear Ms. Steward:

We received the "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1501-1. Please submit the required filing fee of \$2.50. Would you like the name on the water right to remain Cheyenne Crossing Store in care of Kathy A Steward or listed just in your name?

For your records, I have enclosed is a copy of the water license and topographic map showing the location of the well.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Karen Schlaak
Water Rights Program
605 773-3352

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NOV 24 2003

WATER RIGHTS
PROGRAM

enclosures

Kathy Stewart
Both names are fine

Thank you

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date NOVEMBER 24, 20 03

RECEIVED OF Cheyenne Crossing Store, 21415 US Hwy 14-a, Spearfish Canyon, Lead SD 57754

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	2	50	
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>1501-1</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. _____	2	50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____			
(Any Other Work Provided by Law)	TOTAL		
	2.50		

No. 000923

By Darland Erbe
Chief Engineer gm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

December 29, 2003

1501-1

Kathy A Stewart
21415 US Hwy 14A
Lead SD 57754

RE: Transfer of water right

Dear Ms. Stewart:

Thank you for completing the ownership change for Water Right No. 1501-1. The transfer has been completed. Water Right No. 1501-1 is now listed as "Kathy A Stewart, dba Cheyenne Crossing Store".

Enclosed is your Receipt No. 000923 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure



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DEC 21 2012

WATER RIGHTS
PROGRAM

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 12, 2012

1501-1

David Brueckner
Cheyenne Crossing Store LLC
21415 US Hwy 14A
Lead SD 57754

Dear Mr. Brueckner:

I am writing to acknowledge receipt of the transfer of ownership form submitted for Water Right No. 1501-1. The transfer form was completed properly however cannot be filed for record without the \$50.00 fee as required by statute.

Please submit the fee to continue processing of the ownership change. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

COMPLETED

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 1501-1Date: 12/5/12I/We request that Water Right/Permit No. 1501-1 formerly owned by:KATHY STEWART: dba "Cheyenne Crossing Store" be transferred to:New Owner Name: DAVID BRUECKNER; "Cheyenne Crossing Store LLC"Address: 21415 US Hwy 14A.City, State, Zip Lead, SD 57754 Telephone No. 605.584.3510

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

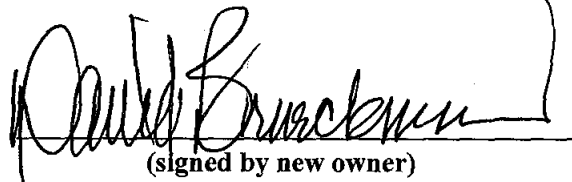
Cheyenne Crossing Store: M.S. 1564- SPARFISH CANYON
LOT C-3 of MEADOW 1-2-3 M.S. 1564. LAWRENCE CO.
26680-01564-000-14

☒ I understand that the validity of Water Right/Permit No. 1501-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, DAVID BRUECKNER, the new owner, certify that the above information is true and 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 12/21, 20 12

RECEIVED OF Cheyenne Crossing Store LLC 21417 US Hwy 14-A Lead SD 57754

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>1501-1</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. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05793**

By Hal J. Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 27, 2012

1501-1

David Brueckner
Cheyenne Crossing Store LLC
21415 US Hwy 14A
Lead SD 57754

Dear Mr. Brueckner:

I am writing to acknowledge receipt of the filing fee you submitted to complete the transfer of Water Right No. 1501-1.

The ownership change has been completed. Water Right No. 1501-1 is now listed in the name of Cheyenne Crossing Store LLC in care of you as the owner.

Enclosed for your records is Receipt No. 05793 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath".

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

enclosure