

Considered: _____

WATER PERMIT NO. 1505-1

Phone: 823-4406

Name of Applicant: Cattlemen's Saloon

Post Office Address: Box 659, McLaughlin SD 57642

Amount of Water Claimed: 0.02 cfs 12 gpm Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial County: Corson

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 12-18-90 Fee: \$50.00 Remarks _____

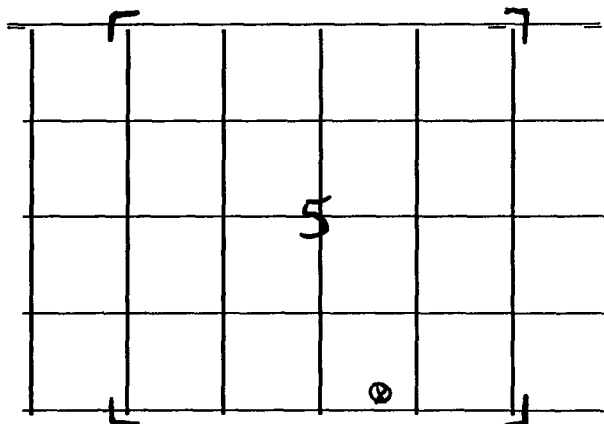
Corrected Application Received 1-7-91 Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: SW 1/4 SE 1/4 5-21E-R27N

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 90' REMARKS no log available

Type of Map: aerial PREPARED BY: Sherryl Ternes, ASCS Reviewed and the Number

Assigned on 1-8-91 By Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT No. 1505-1**

Date of first receipt of application December 18, 1990.

Date of return to applicant for corrections, amendments or changes
December 20, 1990.

Date of receipt of corrected application January 7, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1505-1 to Cattlemen's Saloon, Box 659, McLaughlin SD 57642 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. 1505-1 appropriates 12 gallons per minute (0.027 cubic feet of water per second) from an existing well 90 feet deep (Fox Hills Formation) located in the SW 1/4 SE 1/4 Section 5-T21N-R27E.
2. The water appropriated shall be used for the purpose of supplying water to the saloon 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. 1505-1 is May 1, 1991.
5. The date from which applicant may claim right is December 18, 1990.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

WATER MANAGEMENT BOARD

By: _____

John H. H. H.
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

SEP 26 1991

(date)

RF

No. <u>1505-1</u>	Hydrologic Unit <u>10130102</u>
Map No. _____	Basin <u>Missouri River</u>
Newspaper <u>McLaughlin Messenger, Box 10 (Thurs)</u>	

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. _____



- Name of Applicant Cattlemen's Saloon Phone No. 823-4406
Post Office Address Box 659 McLaughlin State S.D. Zip Code 57642
(Street, RR or Box) (City)
2. Amount of water claimed (c.f.s.) 12 gpm 0.027 cfs
3. Source of water supply Ground water
4. Location of point of diversion Sec. 25 T21N Range 27 E
(SW 1/4 SE 1/4)
County Corson
5. Counties where water will be used Water supply for Cattlemen's Saloon
6. Annual period during which water is to be used yearly 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)

No well log available. Checked with Pierre and you have no records either.

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 Corson)^{ss}

I, Bruce Moser 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 Bruce Moser, owner

Subscribed and sworn to before me this 14th day of Dec 1990

Ray L. Huber
Notary Public

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 5 in Depth 90 ft.
- b) Casing Type gal. Diameter 5 in. Thickness 18 ga.
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 50 ft.
- f) Depth to Water (ground surface to water level) 50 ft.
- g) Distance to nearest existing domestic well:
 On applicants property none On property owned by others 1/2 mi. city's well

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 _____

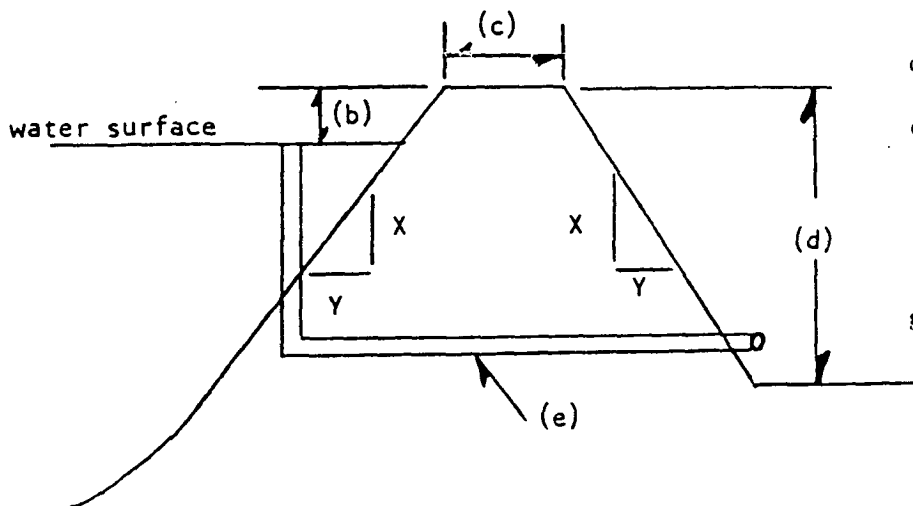
g) X & Y Slope
 Upstream _____

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

412488

Pierre, January 7, 19⁹¹

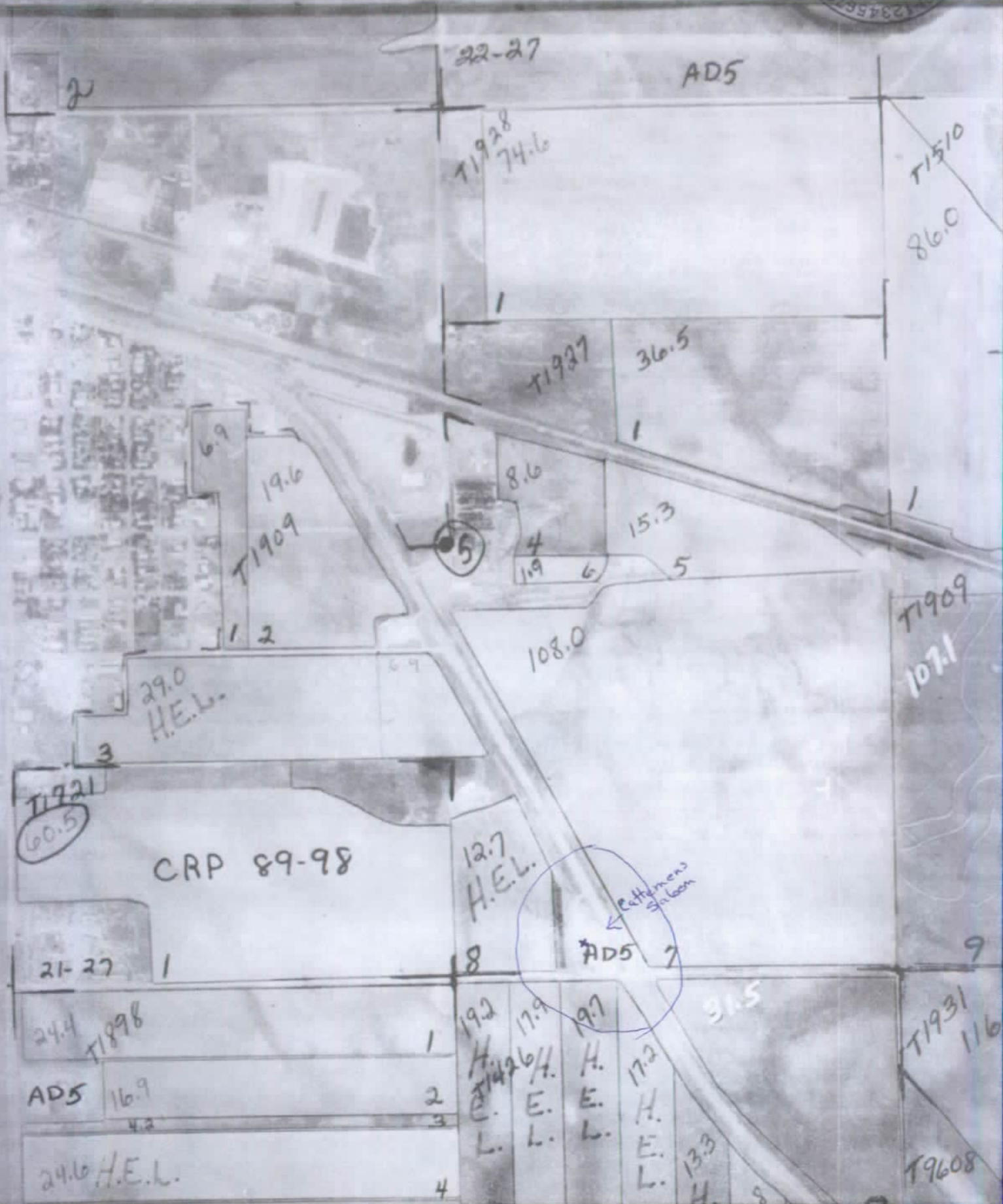
RECEIVED OF CATTLEMEN'S SALOON, Bruce Moser, Box 659, McLaughlin SD 57642

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

Fee for Application for Permit No. <u>1505-11</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 / msa
Chief Engineer

A circular stamp with the text "DEC 1990" at the top, "DIVISION OF WATER RIGHTS" in the middle, and "Pierre, SD" at the bottom. The stamp is slightly tilted and has a textured, embossed appearance.



South Dakota

GREAT FACES. GREAT PLACES.

December 20, 1990

DEPARTMENT OF WATER & NATURAL RESOURCES

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



Cattleman's Saloon
Bruce Moser, Owner
Box 659
McLaughlin SD 57642

Dear Mr. Moser:

In regard to your water permit application received on December 18, 1990, you indicated the point of diversion is located in Section 5-T21N-R27W, but the quarter-quarter (40 acre parcel) was not listed. It appears from the aerial submitted with the application, that the well is located in the SW 1/4 SE 1/4 of Section 5. Please let us know if you concur with this location.

Enclosed is your check in the amount of \$25.00. The correction application fee for the amount of water claimed is \$50.00.

Upon receipt of the above, further processing of your application will proceed.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

In regard to above letter yes I concur with this location.

Bruce Moser

REPORT ON APPLICATION NO. 1505-1

for Cattlemen's Saloon

March 1, 1991

This application proposes to appropriate 12 gpm (0.027 cfs) from an existing well 90 feet deep located in the SW 1/4 SE 1/4 of section 5, T21N R27E in Corson County. The water is being used for commercial purposes by the saloon.

AQUIFER - FOX HILLS FORMATION (FXHL)

The Fox Hills Formation consists of mostly greywacke sand and some shale and is basically under water table conditions in this area. The Fox Hills is the rock at the surface and has been divided into four members, Colgate, Bullhead, Timber Lake and Trail City (Stevenson, 1957). All but the Timber Lake member outcrop in this area. The rock at the surface is the basal Trail City member and according to the well data submitted with the application attains a thickness of 135 feet. The Fox Hills is underlain by the Pierre shale.

The Division of Water Rights does not monitor any observation wells in this area. The nearest Fox Hills observation wells are CN-57A and CN-57B which are located about 25 miles southwest of McLaughlin. Water levels for these wells do respond to precipitation, that is, rising during wet years and declining during dry years. Little fluctuation in water levels has been observed (Water Rights, 1991).

The Fox Hill underlies 1.3 million acres and contains an estimated 9.9 million acre feet of recoverable in Corson County (Allen, 1984).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The City of McLaughlin has two permits/rights Nos. 445-1 and 1364-1 which authorize a total of seven wells ranging in depth from 85 to 135 feet deep and a total diversion rate of 1.435 cfs. The nearest city well to this application is well #4 which is approximately 1/2 mile to the northwest. Interference is not expected to be a problem for two reasons, first, the diversion rate is small and second, the distance between diversion is sufficient to minimize any potential effects.

CONCLUSIONS

1. Water is available from the Fox Hills Formation.
2. The aquifer is under water table conditions and interference is not expected to be a problem.
3. There is no well log or well completion data for this application. The well is reportedly 90 feet deep and this would

identify the source as Fox Hills. Data is not available to evaluate if this well is constructed in accordance with SD Well Construction standards.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Allen, J.C., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD, 57069.
- Stevenson, R.E., 1957, Areal Geology of McLaughlin Quadrangle, SD DWR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1991, Observation Well Records for Fox Hills Formation, SD DWR, Div. of Water Rights, Pierre, SD, 57501.

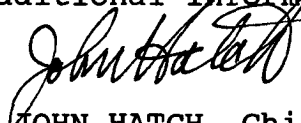
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1505-1, Cattlemen's Saloon

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. 1505-1, Cattlemen's Saloon, Box 659, McLaughlin, SD.

The Chief Engineer is recommending APPROVAL of Application No. 1505-1 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 qualification:

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See report on application for additional information.



JOHN HATCH, Chief Engineer
March 1, 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

Bruce Moser
Cattlemen's Saloon
Box 659
McLaughlin, SD 57642

Dear Mr. Moser:

Water Permit Application No. 1505-1 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 McLaughlin Messenger printed at McLaughlin, 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

McLaughlin Messenger
Box 10
McLaughlin, SD 57642

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1505-1 to be published twice. Please publish the first notice on April 4, 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 Cattlemen's Saloon, Box 659, McLaughlin, SD 57642.

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 4, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1505-1 to Appropriate Water

Notice is given that the Cattleman's Saloon, Box 659, McLaughlin, SD 57642 has filed an application for a water permit to appropriate 12 gallons of water per minute (0.027 cubic feet of water per second) from an existing well 90 feet deep (Fox Hills Formation) located in the SW 1/4 SE 1/4 Section 5, T21N, R27E. The water is being used for commercial purposes by the saloon.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1505-1 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. 1505-1 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)
) ss.
 County Corson)



I, Merle E. Lofgren

certify that the attached printed Notice was
 from the McLaughlin Messenger

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

City of McLaughlin

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

April 4, 1991

April 11, 1991

Merle E. Lofgren
 (Signature)

Subscriber
 (Title)

April 11, 1991
 (Date Signed)

Cost of Printing: 54.59

**Notice of Hearing
 On Application No. 1505-1 to
 Appropriate Water**

Notice is given that the Cattleman's Saloon, Box 659, McLaughlin, SD 57642 has filed an application for a water permit to appropriate 12 gallons of water per minute (0.027 cubic feet of water per second) from an existing well 90 feet deep (Fox Hills Formation) located in the SW 1/4 SE 1/4 Section 5, T21N, R27E. The water is being used for commercial purposes by the saloon.

Pursuant to SDCL 46-2A-2 the Chief Engineer recommends APPROVAL of Application No. 1505-1 because 1) unappropriated water is available, 2) existing rights will not be lawfully 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.

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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 and 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 qualification, 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, 46-5-15, 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.

(Messenger April 4-11)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 26 1991

Bruce Moser
Cattlemen's Saloon
Box 659
McLaughlin, SD 57642

Dear Mr. Moser:

Enclosed is Water Permit No. 1505-1 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

Permit No. 1505-1
Missouri 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, July 11, 2000, made a thorough examination of the water use system owned by Cattlemen's Saloon of Box 421, McLaughlin SD 57642 holder of Permit No. 1505-1, bearing the priority of December 18, 1990 authorizing the diversion of 0.027 cu. ft. per second of the waters of ground water (Fox Hills Formation) for commercial purposes, in Corson County.

Inspection contact & relationship to permit holder, if applicable: **Ron Martel (new owner)**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: unknown
- 2) No. of Wells 1
- 3) Depth(s) 90 feet
- 4) Well log is available N

Pump/Motor:

- 1) Make unknown submersible
- 2) Capacity ≈ 12 GPM

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

The well is located behind (northwest side) of the Cattlemen's Saloon and is used to meet the water needs of the saloon.

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Exceptions to compliance are: none

The system is in good condition with the point of diversion located as follows: Well: ≈ 200 feet N and ≈ 1,900 feet W from the SE corner section 5-T21N-R27E (SW¼SE¼). The works are capable of diverting and conveying to the place of use 0.027 cu. ft. per second of water which is to be used for commercial purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.027 cfs.

Comments or other permit(s) associated with the project: none | All structures, wells and lands on map Y



Ron Duvall

Natural Resources Engineer
DENR, Water Rights Program

Date report completed: August 15, 2000

700 0 700 Feet



BM 1994

CHICAGO

Center of
sec 5-21N-27E

12

Well

200 feet

1,900 feet

5 4
8 9

1986



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall

Ron Duvall, Nat Res Engineer
August 15, 2000

Water Right No. 1505-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

August 17, 2000

1505-1

Ron Martel
Cattlemen's Saloon
Box 421
McLaughlin, SD 57642

Dear Mr. Martel:

On July 11, 2000, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 1505-1, was completed by Ron Duvall, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires 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 complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

April 19, 2001

REMINDER NOTICE

1505-1

Ron Martel
Cattlemen's Saloon
PO Box 421
McLaughlin, SD 57642

Dear Mr. Martel

On August 17, 2000, we advised you that a \$50.00 fee was due for the completed investigation of your Water Permit No. 1505-1. The fee also covers issuance of your water license which is the final document in obtaining and perfecting a water permit.

To date, we have not received the fee and therefore can not issue the water license. Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by any permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352. The check or money order for the fee should be made payable to the "Water Rights Program".

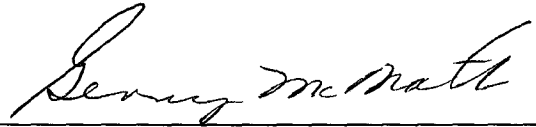
Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

CERTIFICATION

I hereby certify that on April 19, 2001, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated April 19, 2001, regarding Reminder notice fee due for the completed investigation Permit #1505-1, addressed:

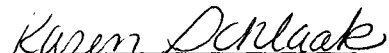
Ron Martel
Cattlemen's Saloon
PO Box 421
McLaughlin, SD 57642

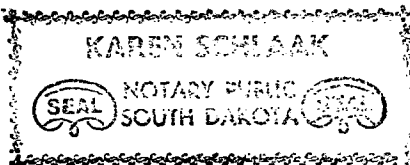


Genny Mc Math
Environmental Scientist

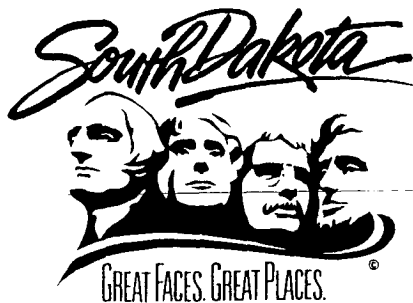
STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 20th day of April, 2001


Karen Schlaak
Notary Public



my commission expires 4/01/07



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 6, 2001

1505-1

Randy Eagle Shield
Cattlemen's Saloon
PO Box 103
Mobridge, SD 57601-0103

Dear Mr. Eagle Shield:

I am contacting you in regard to Water Permit No. 1505-1. The permit authorizes use of ground water for commercial purposes in the Cattlemen's Saloon. Enclosed is a copy of the permit and recent inspection report and map for your review.

In August, 2000, as part of the permitting process, the water use system was inspected for licensing purposes. Letters were sent to Ron Martel, McLaughlin SD concerning the fee that was due for the completed licensing investigation and issuance of the water license.

Recently, it came to our attention that you now own the Saloon. I am enclosing a partially completed "Notice of Transfer of Ownership" form for use in filing the ownership change. Please complete the form as needed and sign it in the presence of a notary. Upon completion, return it to our office with a required filing fee of \$2.50.

A \$50.00 fee is required for issuance of the water license. The fee covers issuance of the water license which is the final document in obtaining and perfecting a water permit. The licensed water right will be similar to a property right and can not be lost as long as the water use continues and you abide by any permit requirements.

The total amount due for the transfer of ownership and the licensing of Water Permit No. 1505-1 is \$52.50. The check or money order for the fee can be made payable to the "Water Rights Program".

If you have any questions regarding the water permit, the investigation of the water use system or payment of the fees, please contact me.

Sincerely,

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

enclosures