

Considered: _____

WATER PERMIT NO. 1558-1

Phone: 347-5287

Name of Applicant: Leo Bestgen

Post Office Address: Box 1057, Sturgis SD 57785

Amount of Water Claimed: 23 gpm 0.05 cfs Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: suburban housing County: Meade

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received: 8-14-92 Fee: \$50 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: SW 1/4 NW 1/4 Sec 5-T5N-R5E

Land to be Irrigated: _____

	⊗				
			5		

Well Log: Driller: Brechtel Drilling Licensed YES _____ NO _____

Depth of Well: 775' REMARKS no well log available

Type of Map: aerial PREPARED BY: Darrell Vig, SCS Reviewed and the Number

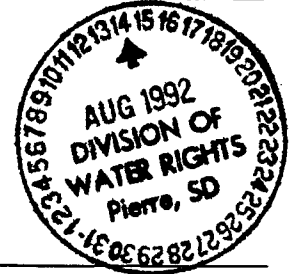
Assigned on 8-19-92 By Karen Schlaak

No. 1558-1 Hydrologic Unit 10/20202
Map No. _____ Basin Belle Fourche R
Newspaper Meade Co Times-Tribune, Box 69

Sturgis

Application For Permit To Appropriate Water Within The State Of South DakotaCheck 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 Leo Bestgen Phone No. 347-5287Post Office Address Box 1057 Sturgis State SD Zip Code 57705
(Street, RR or Box) (City)2. Amount of water claimed (c.f.s) 23 gpm (0.05 cfs)3. Source of water supply Well4. Location of point of diversion 460' east and 1570' south of
NW corner of Sec. 5 TSN R5E in Meade Co. SD.
(SW 1/4 NW 1/4) County Meade5. Counties where water will be used Meade6. 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)

Request water rights for this well which was drilled in 1975.
Logs are not available. The well driller, Brechtel Drilling, is no
longer in business.

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 Meade)^{ss}I, Leo Bestgen 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 Leo BestgenSubscribed and sworn to before me this 4th day of August 19 92Carlene M. Rosecrance
Notary PublicMy commission expires 8/19/98

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth 775'
- b) Casing Type steel Diameter 5" Thickness 1/4"
- 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) 134'
- g) Distance to nearest existing domestic well:
- On applicants property None On property owned by others 1/2 mile

2. Dugout Information Estimates

- a) Surface Dimensions N/A Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams N/A

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 _____

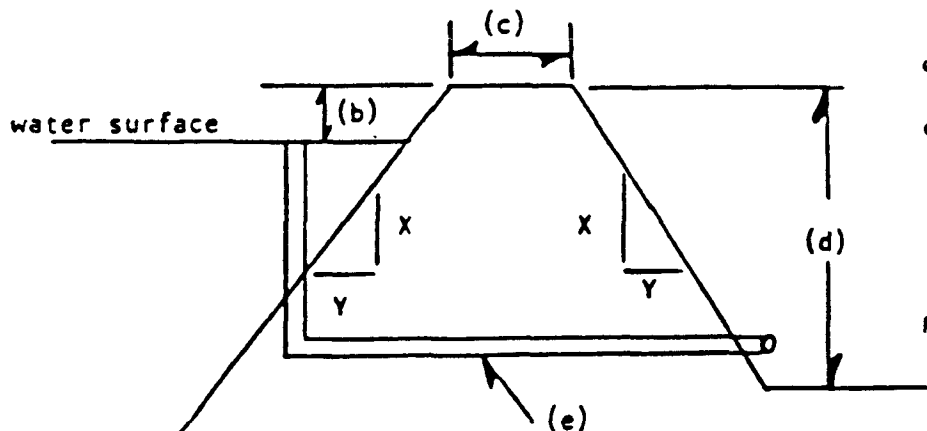
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant

Leo Bergh

**SOUTH DAKOTA
WATER PERMIT NO. 1558-1**

Date of first receipt of application August 14, 1992.

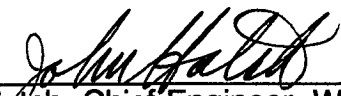
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1558-1 to Leo Bestgen, Box 1057, Sturgis SD 57785 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1558-1 appropriates 23 gallons per minute (0.05 cubic feet of water per second) from one well (Minnelusa Formation) 775 feet deep located in the SW 1/4 NW 1/4 Section 5-T5N-R5E.
2. The water appropriated shall be used for the purpose of supplying water to a suburban housing development and may not exceed the amount of water needed for beneficial use for suburban housing 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. 1558-1 is December 2, 1992.
5. The date from which applicant may claim right is August 14, 1992.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

1. 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 Hatch, Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

MAR 17 1993
date

RECEIPT

413376

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ August 19____, 19 92

RECEIVED OF Leo Bestgen, PO Box 1057, Sturgis SD 57785

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

Fee for Application for Permit No. <u>1558-1</u> 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 _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John H. Helt (KS)
Chief Engineer

LEO EPSTGEN

347-5287

IN COMPUTER

AQUIFER IN SYSTEM

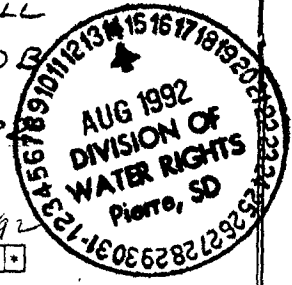
IN COMPU
AQUIFER IN SYS

FORM NO. 9-1904-A
September 1980

U.S. DEPT. OF THE INTERIOR
GEOLOGICAL SURVEY
WATER RESOURCES DIVISION

COMMUNITY WELL
SITE NO SN-SE-5 BCD B

Date 7-16-82



SITE SCHEDULE

GENERAL SITE DATA (1)

Check One ☒ English ☐ Metric Units

Site Ident No 442528103324301 RG Number R-0* Transaction T-0 D M V*

Site Type 2- C D E H I M B P S T W* Data 3- C U* Reliability 4- USGS*

Project No. 5-* District 6- 46* State 7- 46* County MEADE 8- 093*

Latitude 9- 442528* Longitude 10- 1033243* Lat-Long Accuracy 11- S 0 T M*

Local Number 12- SN SE SBCDB Land Use 13- SE SW NW 5 T SN R SE

Location Map 14- STURGIS Scale 15- 24000

Altitude 16- 3525* Method of Measurement 17- A L M* Accuracy 18- 10*

Topo Setting 19- A B C D E F H K L M O P S T U V W Hydrologic Unit (OWDC) 20- 10120202

Use of Site 23- A C D E G H M O P R S T U V X Z* Secondary Site Use 301* Tertiary Site Use 302*

Use of Water 24- A B C D E F H I J K M N O P Q R S T U Y Z*

Secondary Water Use 25-* Tertiary Use of Water 26-* Depth of Hole 27- 735* Depth of Well 28- 735* Source of Depth Data 29- D*

Water Level 30- 133.82* Data Measured 31- 04/27/1982* Source 33- S

Method of Measurement 34- A B C E G H L M N R S T V Z*

Site Status 37- D E F G H I J N O P R S T V W X Z*

Source of Geohydrologic Data 36-* Pump Used 35-* Date of First Construction/Completion 21- 9/10/1974*

OWNER IDENTIFICATION (1)

R-158* T-0 D M* Date of Ownership 159# 01/01/1974*

Name: Last 161# COMMUNITY First 162# WELL Middle Initial 163#*

OTHER SITE IDENTIFICATION NUMBERS (1)

R-189* T- A D M* Ident 190# Assigner 191#

New Card Same R & T Ident 190# Assigner 191#

SITE VISIT DATA (1)

R-186* T- A C M* Date of Visit 187# 07/16/1982* Name of Person 188# R. S. Herbst

FIELD WATER QUALITY MEASUREMENTS (1)

R-192* T- A D M* Date 193# Geohydrologic Unit 1

New Card Same R thru 195

Temperature 196# 0.0, 0.1, 0* Degrees C 197#

Conductance 198# 0.0, 0.9, 5* μ Mhos 197#

Other (STORET) Parameter 199# Value 197#

Other (STORET) Parameter 199# Value 197#

FOOT NOTES:

1 Source of Data Codes:

A O G I M O H S Z
Other method, geomatic logs, memory, recovery, other, reporting, other agency

Here is information about the well obtained by U.S. Geological Survey on 4-16-82.

N

LEO BESTGEN

CARETAKER FOR COMMUNITY WELL

5N-5E-5

SUPPLIES 28 HOUSES

TURN OFF 4-13-82 @ 8:00 AM

4-15-82 @ 3:30

METER @ 45620

STURGIS
I 90
EXT 30

HOLD 290.00
WET 160.52

129.48

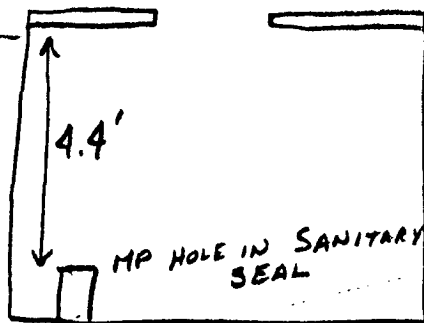
4.9

133.88

135.00

5.51

129.49



← 1.1 MILES

CHURCH

BESTGEN

↑ POWER
BOX
WELL IN
PIT

RISE

SECTION DATA (1)

* T = A D M * Entry No 59 # 1 *
add, delete, modify

Date of Construction Completion 60 = 01/01/1974 *
month day year

Source of Const. Data 64 = D *

Factor/Driller 63 = BRECHTEL DRILL *

Kind of Construction 65 = A B C D H J P R T V W Z *
air rotary, bored or augered, cable tool, dug, hydraulic rotary, jetted, air-percussion, reverse rotary, trenching, driven, drive wash, other

Seal 66 = C F G H Ø P S T W X Z * Type of Seal 67 = B C G N Z *
porous concrete, gravel w. perf screen, horizontal gallery, open end, perforated or slotted, screen, sand point, welded, open hole, other
benitunite, clay, cement, none, other, grout

Method of Development 68 = * 69 = A B C J N P S Z *
air-lift, bailed, compressed, jetted, none, other, surged, other pump, air pump

Number of Hours in Development 70 = *

Chemical Treatment in Development 71 = C D E F H M Z *
chemicals, dry ice, explosives, deflocculant, hydrofracturing, mechanical, other

SECTIONS OF THE HOLE CONSTRUCTED (2)

* T = A D M * Construction Entry No 59 # *
add, delete, modify

Top of Hole Segment Below LSD
73 # *
73 # *
73 # *
73 # *
73 # *

Bottom of Hole Segment below LSD
74 = *
74 = *
74 = *
74 = *
74 = *

Diameter of Hole Segment
75 = *
75 = *
75 = *
75 = *
75 = *

New Card for Each Hole Segment Same R, T & Field 59

CASING SCHEDULE (2)

* T = A D M * Construction Entry No 59 # *
add, delete, modify

Top of Casing Segment Below LSD
7# *
7# *
7# *
7# *
7# *

Bottom of Casing Segment Below LSD
78 = *
78 = *
78 = *
78 = *
78 = *

Diameter of Casing Segment
79 # *
79 # *
79 # *
79 # *
79 # *

Casing Material 80 = *
80 = *
80 = *
80 = *
80 = *

Thickness of Casing
81 = *
81 = *
81 = *
81 = *
81 = *

New Card for Each Casing With Same R, T & Field 59

OPENINGS SCHEDULE (2)

* T = A D M * Construction Entry No 59 # *
add, delete, modify

Top of Section Below LSD 83 # *
 Bottom of Section Below LSD 84 = *

Type of Openings 85 = *
 Type of Material 86 = *

Diameter of Open Section 87 = *
 Width of Opening 88 = *
 Length of Opening 89 = *

(Openings Data)
83 # *
84 = *
85 = *
86 = *
87 = *
88 = *
89 = *

(Openings Data)
83 # *
84 = *
85 = *
86 = *
87 = *
88 = *
89 = *

(Openings Data)
83 # *
84 = *
85 = *
86 = *
87 = *
88 = *
89 = *

New Card for Each Open Section With Same R, T and Field 59

NOTES:

Source of Data Codes:

A D G L M O R S Z
 other, driller, geologist, logs, memory, owner, other, reporting, other
 gov't reported agency

(5) Casing Material Codes

B C D G I M P R S T U W Z
 brick, concrete, copper, galv, wrought, other, PVC or, rock or, steel, tile, coated, wood, other
 iron iron metal plastic stone steel

Type of Openings Codes

F L M P R S T W X Z
 screen, mesh, perforated, wire, sand, welded, open, other
 shuttered or slotted wound (unknown) point hole

(7) Type of Material Codes for Open Sections

B C G I M P R S T Z
 brass or, concrete, galv, wrought, other, PVC or, stainless steel, tile, other
 bronze iron iron metal plastic steel

HYDROLOGIC UNIT DESCRIPTIONS (1)

90 * T= A D M *
 add, delete, modify
 93 = 210 MNL *
 Unit Identifier
 304 = P *
 Contributing Unit
 96 = *
 Lithology
 97 = *
 Lithologic Modifier

HYDROLOGIC DATA (2)

R=94 * T= A D M *
 add, delete, modify
 Date 95 # 01/01/1979 *
 month day year
 Water Level 126 = 133.88 *
 % Water Contributed 132 = 100 *

HYDROLOGIC UNIT DESCRIPTIONS (1)

90 * T= A D M *
 add, delete, modify
 93 = *
 Unit Identifier
 304 = *
 Contributing Unit
 96 = *
 Lithology
 97 = *
 Lithologic Modifier

HYDROLOGIC DATA (2)

R=94 * T= A D M *
 add, delete, modify
 Date 95 # / / *
 month day year
 Water Level 126 = *
 % Water Contributed 132 = *

REMARKS

183 * T= A D M *
 add, delete, modify
 New Card Same R&T
 311 # 1 *
 185 = PUMP TEST APRIL 20 1982 *
 311 # *
 185 = *

Contributing Unit Codes

P	S	N	U
primary	secondary	non-	unknown
routing	contributing	contributing	

PUMP TEST 4-20-82

PUMP TEST FROM 4-26-82. 4-27-82

END METER READING	3625517.5	
BEGIN METER READING	<u>- 3595462.0</u>	
	30055.5	TOTAL GALLONS PUMPED

END WATER LEVEL	252.86	
BEGIN WATER LEVEL	<u>- 129.53</u>	
	123.33	DRAWDOWN

AVERAGE
20.87 GALLONS PER MINUTE
 $1440 \overline{) 30055.5}$

0.1692
 $123.33 \overline{) 20.87}$

SPECIFIC CAPACITY = 0.1692 GPM / FT OF DRAWDOWN
FOR 24 HOURS

4-26-82

= 3595462 meter reading, before pump on.

140 - 10.47

129
130.53

800 below m.p.

Below m.p.
Measurement

Time

REMARKS

131.02

3:35

{ measured w/ m-scope, oriented
± .2 / 5 feet off to error

131.22

3:44

131.20

3:46

131.30

3:48

(weathering clearing up, barometric
high?)

131.20

3:48

131.15

3:50

145.10.5

131.18

13.37

3:52:00

13.87 Pump on; 40

10.63

145.05

3:53:40

10.63

:30

150.5 155.68

3:53:10

11.76

:30

162.44

3:53:40

13.30

:55

180.74

3:54:35

3.68

:18

188.42

3:54:53

6.50

:34

190.92

3:55:27

10.01 / min

200.93

3:56:27

3.43

:18

203.36

3:56:45

207.04

3:57:15

214.72

3:58:25

3:59:00

5.2

219.92

3:59:29

224.18

4:00:30

226.58

4:01:12

228.88

4:02

3595630

168 gal / 7 min.

3595462

= 249 pm

168

W.L. blw n.p		Δ S	Δ t (min)
230.46	4:02:28	1.5	:30
231.96	4:03	.72	:28
232.74	4:03:28		
	4:04:00	2.28	1:07
235.02	4:04:35	3.12	2:07
238.14	4:06:28	1.52	1:12
239.66	4:07:40	.72	:40
240.38	4:08:20		

$$\begin{array}{r} 22.2 \\ 5 \overline{) 111} \\ \underline{10} \\ 11 \end{array}$$
 22gpm

(check 230 sleeve)

242.74
 243.60
 246.10

~~4:08~~
 4:10:00
 4:10:59
 4:11:55
 4:15:00
 4:16:20

$$\begin{array}{r} 21.6 \\ 6 \overline{) 130} \\ \underline{12} \\ 10 \end{array}$$
 22gpm

$$\begin{array}{r} 21.6 \\ 5 \overline{) 107.6} \\ \underline{10} \\ 7 \end{array}$$
 22gpm

spec at 4:15:

$$\begin{array}{r} 246.10 \\ - 131.10 \\ \hline 115.00 \end{array}$$

@ 3:30

@ 3:45

HOLD 270.00

HOLD 270.00

CUT 17.22
 252.78

CUT 17.14
 252.86

1.5gpm/ft for 23m

PUMPING 21 GPM

@ 3:30 ON

4-27-82

METER READING AFTER PUMP OFF
 3625517.5

NOT TO SCALE



NW corner of
Sec. 5-15N-R5E
6.5

T1027

NW
WELL
51.1
①

I-90



2,500 gallon
strong
reservoir

Well

POD - 460' E & 1570'S
of NW corner of 5-5-5
Bestgen Well

by Darrell Vieg, DC
SES

8/4/92
Sturgis

NW
WELL
27
④

NW
WELL
430
③

NW
WELL
45.4
②

Sturgis

T3849

9.70 mile

T1016

Appl. No. 1558-1

T732

T2

T1024

(T2)
(5-5)

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Leo Bestgen

ADDRESS: Box 1057, Sturgis, SD COUNTY: Meade

DATE: 9/29/92 TELEPHONE: 347-5287

RE: Conversation with Mr. Bestgen regarding wastewater disposal

COMMENTS:

I contacted Mr. Bestgen regarding the method a wastewater disposal utilized by the suburban housing development. Mr. Bestgen stated that each home has its own individual septic tank. There are 27 homes in the development.

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 Hurlund

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1558-1, Leo Bestgen

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 1558-1, Leo Bestgen, Box 1057, Sturgis, SD 57785.

The Chief Engineer is recommending APPROVAL of Application No. 1558-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is 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.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized, cursive script.

JOHN HATCH, Chief Engineer
September 28, 1992

REPORT ON APPLICATION NO. 1558-1
for Leo Bestgen
September 25, 1992

Application No. 1558-1 proposes to appropriate 23 gpm (0.05 cfs) from one well approximately 775 feet deep located in the SW 1/4 NW 1/4 of section 5, T5N R5E in Meade County. The water is used in a suburban housing development.

AQUIFER - MINNELUSA FORMATION (MNLS)

The Minnelusa Formation consists of interbedded sandstone, limestone, dolomitic limestone and lesser amounts of shale. The Minnelusa Formation is approximately 500 feet thick in this area (Peter, 1987) and is under confined (artesian) conditions. The Minnelusa Formation underlies 2.17 million acres and contains an estimated 81.5 million acre feet of recoverable water in storage in Meade County (Allen, 1984). The aquifer is laterally extensive around the entire Black Hills extending into and hydraulically connected with the Minnelusa in Pennington and Lawrence Counties.

Recharge to the Minnelusa Formation occurs through infiltration of rainfall and snowmelt directly on the outcrop of the formation, streamflow losses and potential upward leakage from the Madison Formation. Recharge rates to the Minnelusa have not been quantified.

The Division of Water Rights monitors a Minnelusa Formation observation well (LA-86A) located about 1 mile west of this application. Water levels for this well do respond to climatic conditions, that is, rising during wet years (recharge) and gradually declining during dry years. Since the fall of 1986 about 12 feet of head pressure has been lost. However, water levels have been lower in other years than the level now. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1992).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

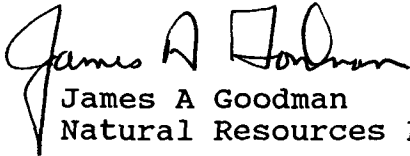
There are six other water permit/rights within 1 mile of this application which obtain water from the Minnelusa Formation. Interference is not expected to be a concern. Most of these diversions are relatively small, used intermittently and any drawdown caused by pumping should not be significant.

CONCLUSIONS

1. Water is available from the Minnelusa Formation.
2. The aquifer is under confined conditions. Drawdown will result from pumping. Because the pumping rates are

relatively small the amount of drawdown is not expected to be significant. Interference is not expected to be a concern.

3. This is an existing well and was drilled in 1975. No information is available to determine if this well is completed in accordance with SD Well Construction Standards. The well is finished in a pit. This does not comply with existing standards.
4. The development has 27 homes which each have an individual septic tank for wastewater disposal.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

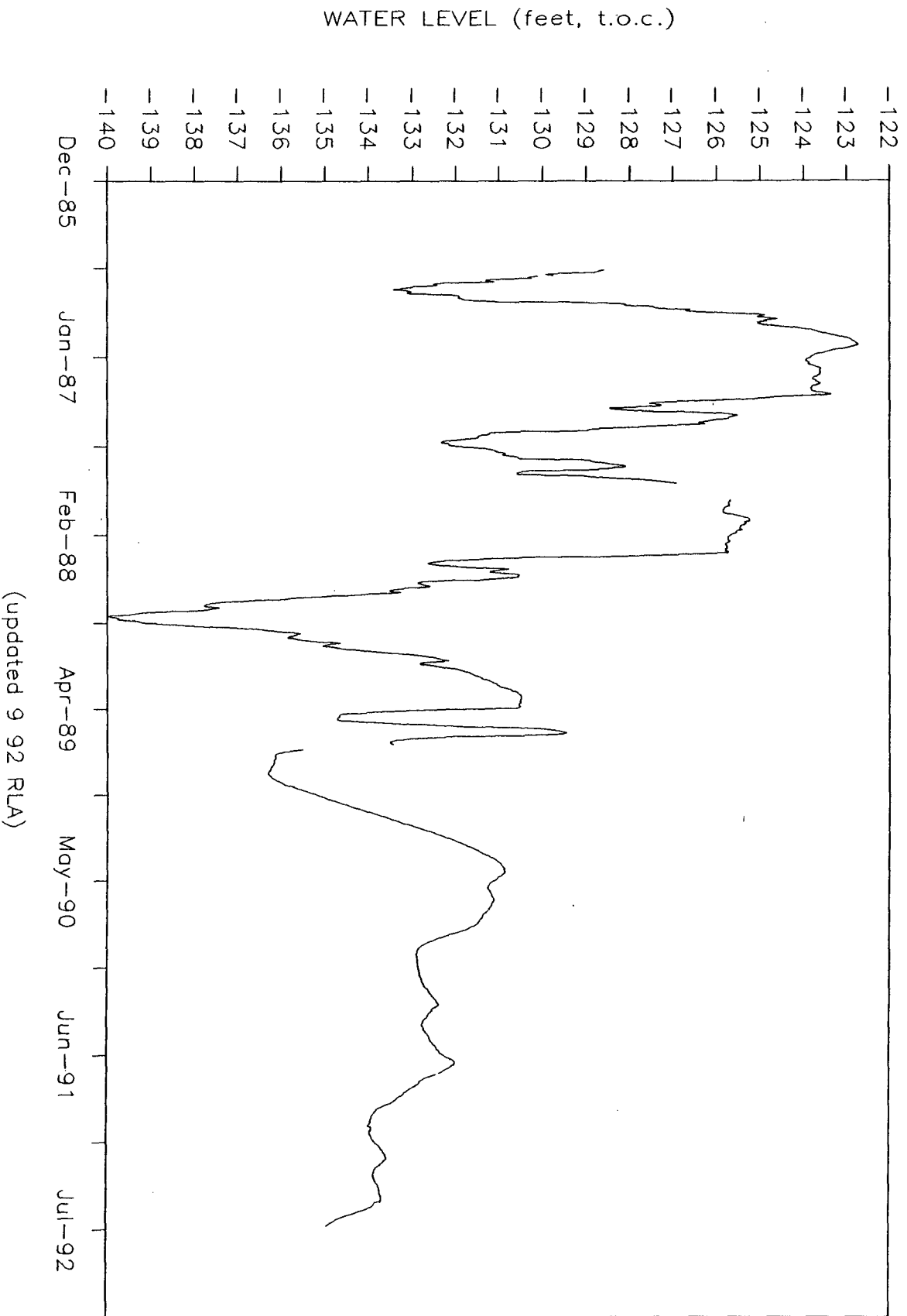
Allen, J.C., D.L. Illes, A.K. Petres, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Peter, K.D., D.P. Kyllonen, 1987, Geohydrology and Water Quality of the Inyan Kara, Minnelusa, and Madison Aquifers of the Northern Black Hills, South Dakota and Wyoming, and Bear Lodge Mountains, Wyoming, USGS WRI 86-4158, USGS, Rapid City, SD, 57701.

Water Rights, 1992, Unpublished Observation Well Records for Minnelusa Aquifer, SD DENR, Division of Water Rights, Pierre, SD, 57501.

WATER RIGHTS OBSERVATION WELL

LA-86A





**DEPARTMENT of ENVIRONMENT
and 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.

October 29, 1992

Leo Bestgen
Box 1057
Sturgis, SD 57785

Dear Mr. Bestgen:

Water Permit Application No. 1558-1 for suburban housing 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 Meade County Times-Tribune printed at Sturgis, SD (Ph # 347-2503). 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 ENVIRONMENT
and NATURAL RESOURCES**

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

October 29, 1992

Meade County-Times Tribune
Box 69
Sturgis, SD 57785

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1558-1 to be published twice. Please publish the first notice on November 4, 1992, 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 Leo Bestgen, Box 1057, Sturgis, SD 57785 (Ph # 347-5287).

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 November 4, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1558-1 to Appropriate Water

Notice is given that Leo Bestgen, Box 1057, Sturgis, SD 57785 has filed an application for a water permit to appropriate 23 gallons per minute (0.05 cubic feet of water per second) from one well (Minnelusa Formation) 775 feet deep located in the SW 1/4 NW 1/4 Section 5-T5N-R5E. The water is used in a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1558-1 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 November 23, 1992. 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, December 2, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. 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. The December 2, 1992, 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 November 23, 1992.

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 Eric Gronlund by November 23, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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, 46-2A-20, 46-2A-21; 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. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Meade) ss.

I, Faye D. Pate

certify that the attached printed Notice was taken
 from the Meade County Times-Tribune

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 Sturgis of _____

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

November 4, 1992

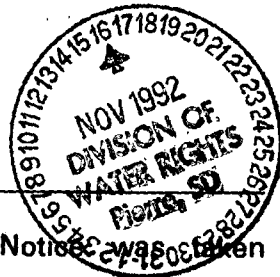
November 11, 1992

Faye D. Pate
 (Signature)

Accountant
 (Title)

November 11, 1992
 (Date Signed)

Cost of Printing: \$61.63



or 4) deny this application based on the facts presented at the public hearing. The December 2, 1992, 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 November 23, 1992.

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Publ. Nov. 4 & 11, 1992

Meade County Times-Tribune

Water permit request

NOTICE OF HEARING
 on Application No. 1558-1
 to Appropriate Water

Notice is given that Leo Bestgen, Box 1057, Sturgis, SD 57785 has filed an application for a water permit to appropriate 23 gallons per minute (0.05 cubic feet of water per second) from one well (Minnelusa Formation) 775 feet deep located in the SW 1/4 NW 1/4 Section 5-T5N-R5E. The water is used in a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1558-1 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. If 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 November 23, 1992. 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 a.m., December 2, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. 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 modifications, 3) defer,



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 17 1993

Leo Bestgen
Box 1057
Sturgis, SD 57785

Dear Mr. Bestgen:

Enclosed is Water Permit No. 1558-1 authorizing construction of your water diversion system and beneficial use of the water, 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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 1558-1

I have this day, May 18, 2017 made a thorough examination of the water use system constructed by **Leo Bestgen** P. O. Box 1057, Sturgis, SD 57785 of Permit No. **1558-1**, bearing the priority of **8/14/1992** authorizing the diversion of **0.5** cu. ft. per second of the water from one well for suburban housing purposes, in Meade County.

Inspection contact & relationship to permit holder, if applicable: **Leo Bestgen, Owner**
605-347-5287

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Brechtel Drilling (1975)
- 2) No. of Wells 1
- 3) Depth(s) 735 feet
- 4) Well log is available No

Casing:

- 1) Diameter 6 in.
- 2) Length unknown feet
- 3) Type steel

Screen:

- 1) Type unknown
- 2) Length - feet
- 3) Static water level 133 feet

Pump:

- 1) Make Goulds
- 2) Model 25GS30 (This is a 3 hp rated pump with a 5 hp motor)
- 3) Size 4"
- 4) Capacity 25 GPM (metered rate is 24.5 – 25 gpm)
- 5) Horsepower rating 5 hp

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

- 1) Type PVC
- 2) Size various inches
- 3) Length -- feet

C. Works used to apply water to beneficial use:

The well pumps to a 28,500 gallon concrete storage tank buried with top at ground level and located approximately 95 feet above the well. The water gravity feeds to 29 homes in the development.

D. Compliance with Permit Requirements:

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

E. Condition and Location:

1. The system is in good condition with the point of diversion located as follows:
1,517' S and 434' E of the NW corner Section 5 T5N R5E (44.426555, -103.547392)
2. The works are capable of diverting and conveying to the place of use .056 cu. ft. per second (25 gpm) of water which is to be used for **suburban housing** use and the license should be issued for .05 cfs (23 gpm).
3. All structures, wells and lands on map: **No, well and storage location only.**

F. Comments or other permit(s) associated with the project: The well must be limited to the licensed capacity of 23 gpm.

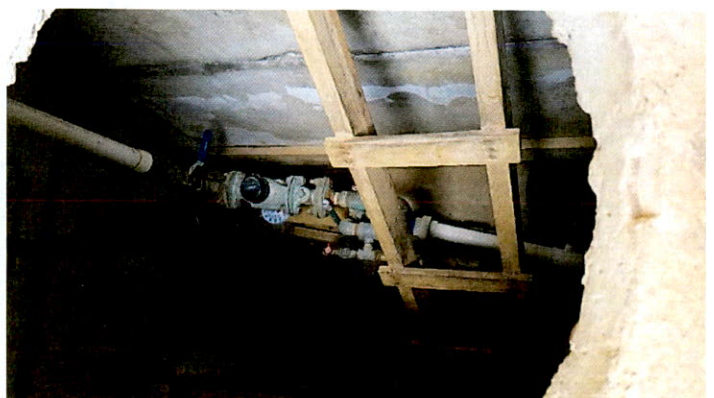


Steven Quissell
Water Rights Inspector
DENR Water Rights Program

Date Report Completed: 5/19/2017

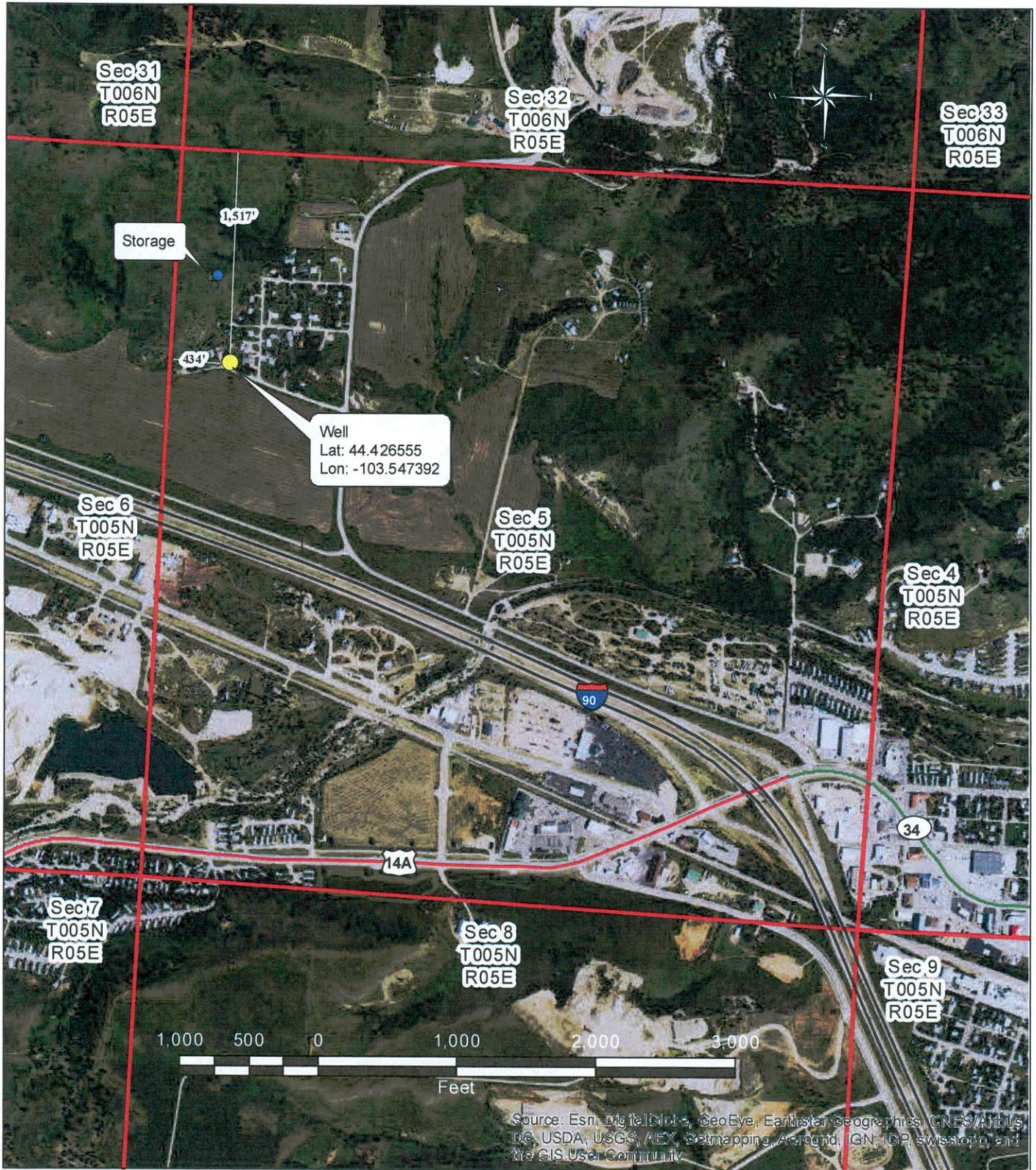


Well and well house over pit

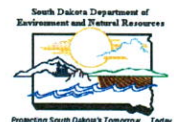


Well pit and appurtenances

Water Right #1558-1
Leo Bestgen
5/18/17



Steven Quissell
Water Rights Inspector
DENR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

May 23, 2017

1558-1

Leo Bestgen
PO Box 1057
Sturgis SD 57785

Dear Mr. Bestgen:

On May 18, 2017 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 1558-1, was completed by Steve Quissell, 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 me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date June 23, 2017

RECEIVED OF ~~Bestgen Addition Water, LLC 1921 Lazelle St Sturgis~~

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. <u>1558-1</u>		
Fee for Filing Transfer Form _____		
Fee for _____	50	00
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **08278**

By

Jeanne Goodman *LM*
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

JUN 29 2017

1558-1

Leo Bestgen
PO Box 1057
Sturgis SD 57785

Dear Mr. Bestgen:

Enclosed is Water License No. 1558-1. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1558-1

(1) Leo Bestgen, PO Box 1057, Sturgis SD 57785 made Application No. 1558-1, August 14, 1992 for a water permit to divert 0.05 cubic feet of water per second from ground water, one well (Minnelusa Formation), Meade County, South Dakota for suburban housing development purposes. Permit No. 1558-1, with a priority date of August 14, 1992 was approved December 2, 1992 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

(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 0.05 cubic feet of water per second for beneficial use. The location of the diversion point is:

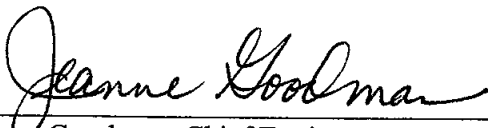
- 1,517'S and 434'E of the NW corner of Section 5, T5N, R5E (SW ¼ NW ¼).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Leo Bestgen, PO Box 1057, Sturgis SD 57785 the holder and/or owner of Water Right No. 1558-1 is issued a license to appropriate water, the right to use 0.05 cubic feet of water per second from ground water, one well (Minnelusa Formation) with a priority date of August 14, 1992 from the location specified in (2) of this license for suburban housing development purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1558-1 and subject to the following 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.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 29 2017

date

