

WATER PERMIT NO. 1571-1

Phone: 338-9751

Name of Applicant: The Chapter of Calvary<sup>a</sup> Cathedral

Post Office Address: 500 S Main, Sioux Falls SD 57102

Amount of Water Claimed: 0.03 cfs (15 gpm) ~~0.1 cfs 45 gpm~~ Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: institutional County: Lawrence

About 8 miles south, 12 east of Lead

PRIORITY Date Received: 1-19-93 Fee: \$50 Remarks: \_\_\_\_\_

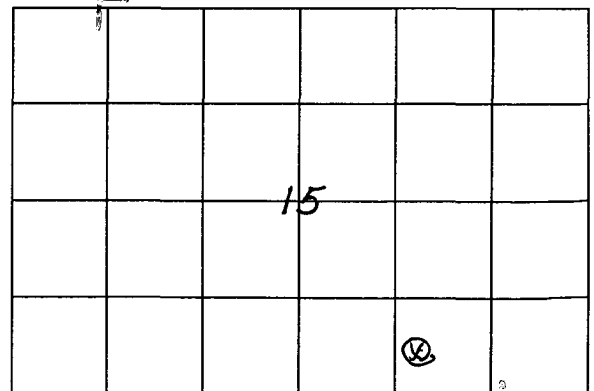
Corrected Application Received: 1-28-93 Period of Annual Use: June 1 - Aug 31

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

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

Diversion Point: SE 1/4 SE 1/4 Sec 15-T3N-R1E

Land to be Irrigated: \_\_\_\_\_



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

Depth of Well: over 240' deep REMARKS: no log available -- only information is from the man who serviced the well I THINK I FOUND IT (JAL)

Type of Map: aerial PREPARED BY: Donna Wedd Reviewed and the Number

Assigned on: 1-29-93 By: Karen Schlaak

**SOUTH DAKOTA  
WATER PERMIT NO. 1571-1**

Date of first receipt of application January 19, 1993.

Date of return to applicant for corrections, amendments or changes January 20, 1993.

Date of receipt of corrected application January 28, 1993.

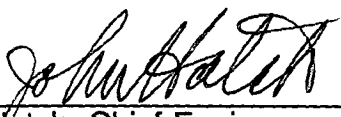
The Water Management Board approved Water Permit Application No. 1571-1 on May 5, 1993 for The Chapter of Calvary Cathedral, 500 S Main, Sioux Falls SD 57102 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1571-1 appropriates 15 gallons per minute (0.03 cubic feet of water per second) from one well approximately 240 feet deep (Madison Formation) located in the SE 1/4 SE 1/4 Section 15-T3N-R1E
2. The water appropriated shall be used for the purpose of supplying water to the Thunderhead Episcopal Center and may not exceed the amount of water needed for beneficial use for institutional use.
3. The water is to be used during the following described annual period: June 1 - August 31.
4. The date from which applicant may claim right is January 19, 1993.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

**QUALIFICATION**

Since the well requested by Application No. 1571-1 has been in use since 1979 and the amount of water requested is only 15 gallons per minute, 1) no significant adverse hydrologic effects on the supply of water in the Madison Formation will result, and 2) issuance of this permit will not have a significant adverse effect on nearby Madison Formation wells or springs. Therefore, issuance of Permit No. 1571-1 as a permanent permit will not be in violation of SDCL 46-2A-20.

**WATER MANAGEMENT BOARD**

By:   
John Hatch, Chief Engineer  
Water Rights Division  
Department of Environment and  
Natural Resources

SEP 17 1993  
date

No. 1571-1 Hydrologic Unit 10180201  
 Map No. \_\_\_\_\_ Basin Belle Fourche R  
 Newspaper Lead Daily Call, Box 876, Lead

523 E. Capitol  
 Pierre, SD 57501  
 (605) 773-3352

## 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 THE CHAPTER OF CALVARY CATHEDRAL Phone No. 605 338-9751  
 Post Office Address 500 SO. MAIN SIOUX FALLS, State SD 57102  
(Street, RR or Box) (City) (Zip Code)
- Amount of water claimed (c.f.s.) 15 gpm more than or less (0.03 cfs)
- Source of water supply DEEP WELL
- Location of point of diversion WELL HEAD SE 1/4 SE 1/4 of Section 15  
Township 3N, Range 1E  
County LAWRENCE
- Counties where water will be used LAWRENCE
- Annual period during which water is to be used PRIMARILY JUNE 1<sup>st</sup> to August 31
- 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)

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage or change is proposed. Attach map if applicable (see instruction)

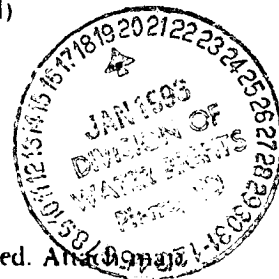
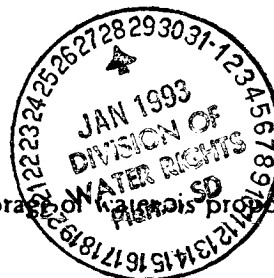
STATE OF SOUTH DAKOTA)  
 County of Minnehaha)<sup>ss</sup>

I, Randy R. Reinartz 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 Randy R. Reinartz

Subscribed and sworn to before me this 26 day of January 1993

Virginia F. Slechts



## Supplemental Information

(type or print in ink)

## 1. Well Information - Proposed construction

- a) Drill Hole Diameter unknown Depth GREATER THAN 240'
- b) Casing Type steel Diameter 6" Thickness NA
- c) Screen Type N. A. WAIL Diameter \_\_\_\_\_ Thickness \_\_\_\_\_
- d) Gravel Pack Thickness N.A. Length of Gravel Pack \_\_\_\_\_
- e) Depth to Top of Water Bearing Material STATIC 145' in 1989
- f) Depth to Water (ground surface to water level) \_\_\_\_\_
- g) Distance to nearest existing domestic well: more than 1000'
- On applicants property \_\_\_\_\_ On property owned by others \_\_\_\_\_

2. Dugout Information Estimates NOT APPLICABLE

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

3. Water Storage Dams NOT APPLICABLE

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 \_\_\_\_\_

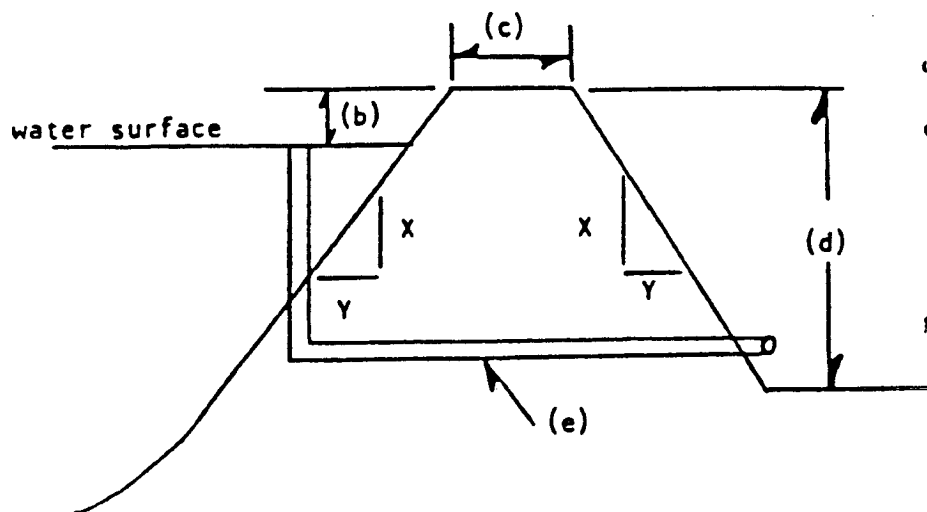
g) X & Y Slope  
 Upstream \_\_\_\_\_

Downstream \_\_\_\_\_

Surface Area of Impoundment \_\_\_\_\_

Storage \_\_\_\_\_ acre feet

Drainage area above dam \_\_\_\_\_



Signature of Applicant \_\_\_\_\_

# RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

413659

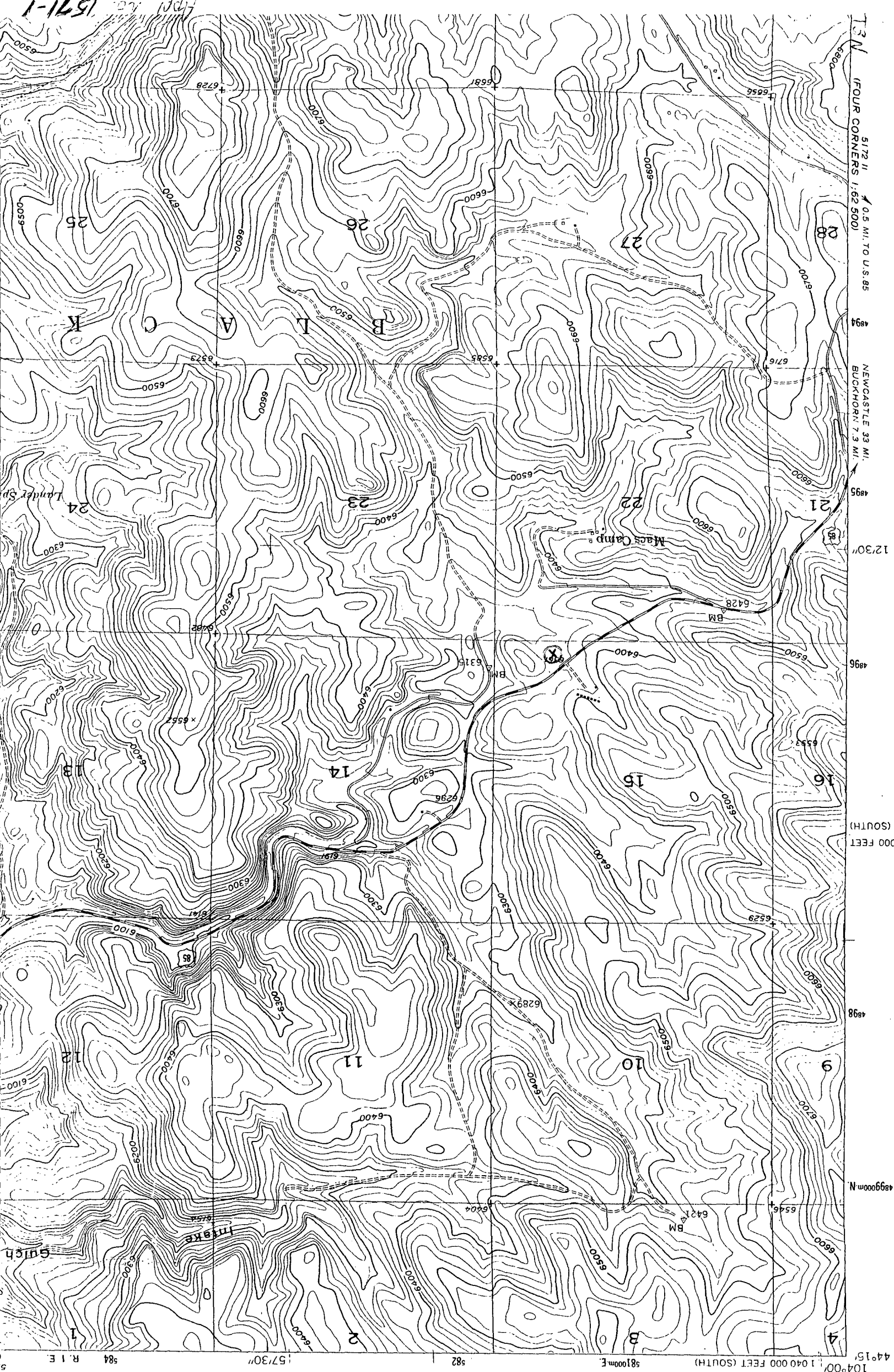
Pierre, \_\_\_\_\_ January 29, 19 23

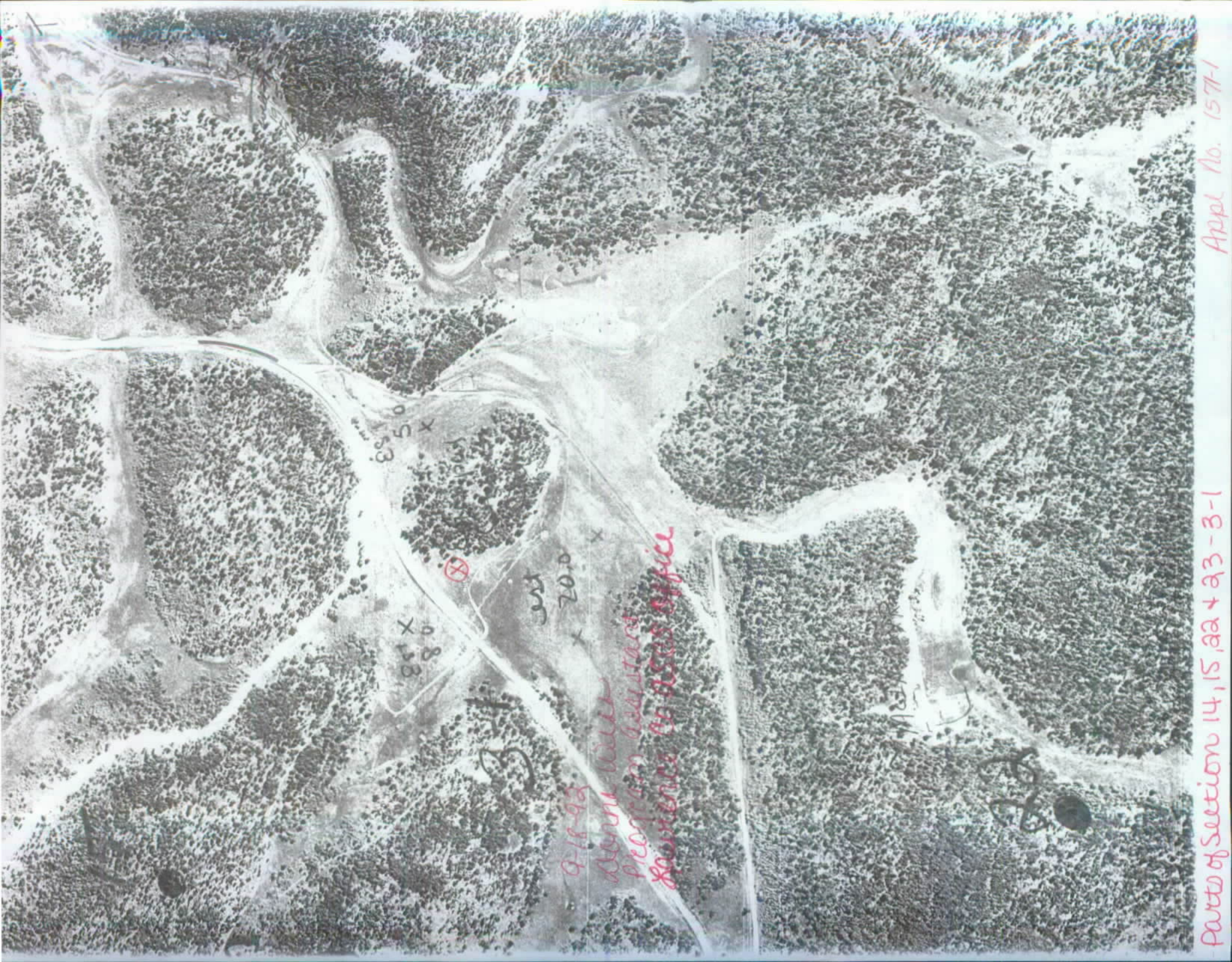
RECEIVED OF The Chapter of Colvany Cathedral, diocese of SD, 500 S. Main,  
the following amount in fees for services rendered as provided for by law: ST, SD 57102

|                                                                                                                              |       |       |
|------------------------------------------------------------------------------------------------------------------------------|-------|-------|
| Fee for Application for Permit No. <u>1571-1</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. H. H. H.  
Chief Engineer

## GEOLOGICAL SURVEY





9-18-93

Donna Wilson  
Program Assistant  
Lawrence O. Adams Office

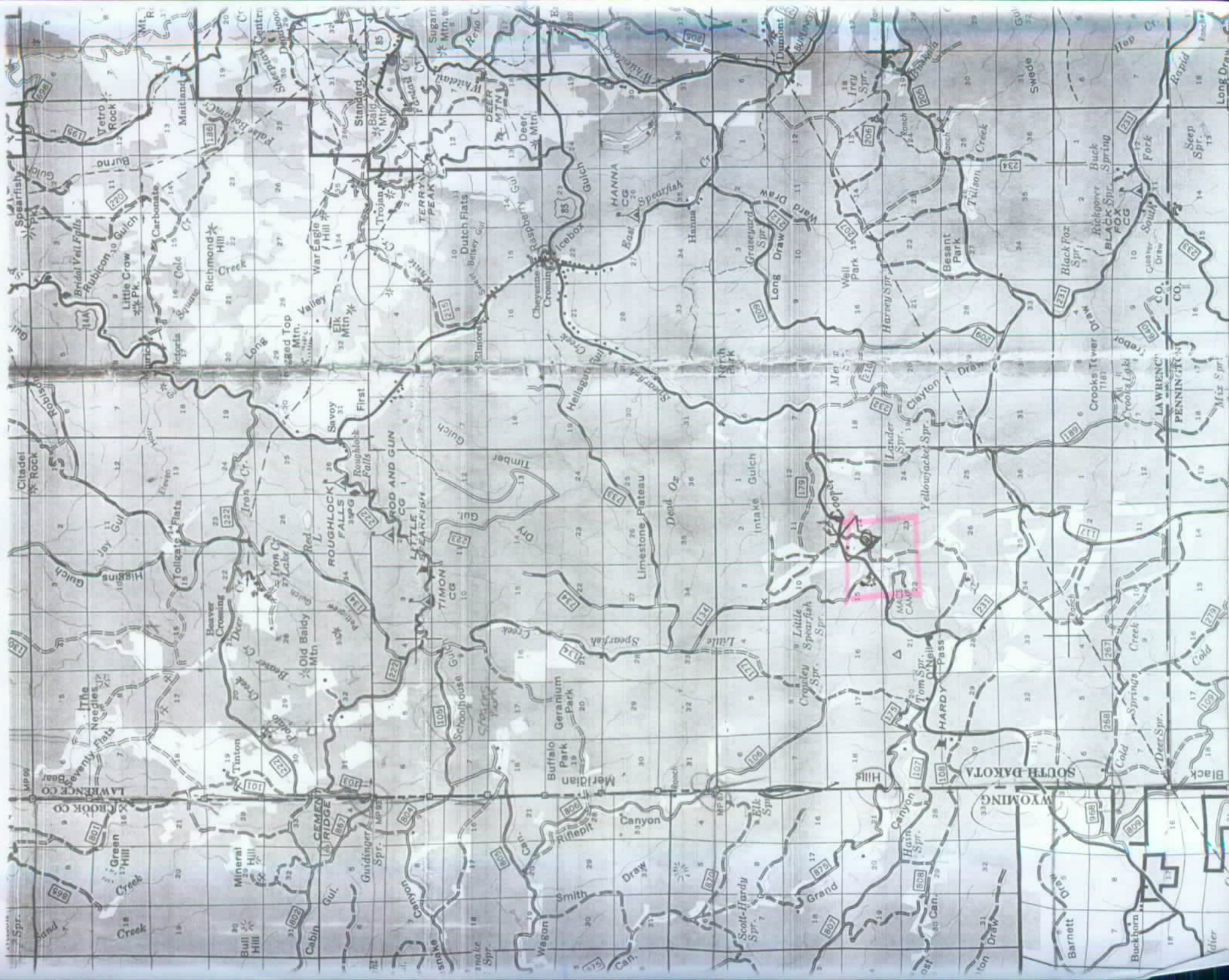
3-1

880 x 880

850 x 850

20.0 x 20.0

22



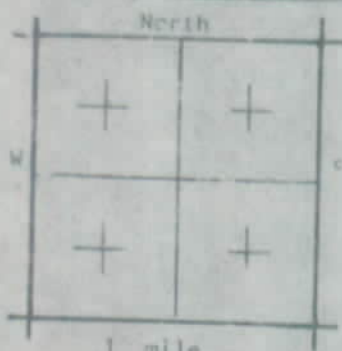
**WELL DRILLERS REPORT**  
SOUTH DAKOTA WATER RIGHTS COMMISSION

4-78

Well Owner:  
Name E. J. Peterson

Address 1400 N. 1st St. Pierre, S.D.

Well Location:



Mark location  
with an "X"

County Lawrence 1 1/2 mi. N. of Pierre  
NEL 1/4 Sec. 22 Twp. 3N Rg. 1E

Proposed Use:

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

Method of Drilling:

☒ Forward Rotary ☐ Bored ☐ Jetted  
☐ Reverse Rotary ☐ Cable ☐ Other

Hand Drill

Well Construction:

Diameter of Hole 6"  
Depth 260'  
Casing ☒ Steel ☐ Concrete

☐ Plastic ☐ Other

If other, specify 270' 4-1/2" well

Was casing end left open

Was a well screen installed

Describe Well Screen

Diameter \_\_\_\_\_ Material \_\_\_\_\_

Slot size \_\_\_\_\_

Was well gravel packed

Was well grouted

Was water sample taken

Water Level Information:

Static water level 15' below land surface

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

rate of flow \_\_\_\_\_ GPM

Controlled by:

☐ Valve ☐ Reducers ☐ Other

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

Well Test Data:

☒ Pumped W/air 15 gpm

☐ Bailed Describe: \_\_\_\_\_

☐ Other \_\_\_\_\_

Pumping Level Below Land Surface

15 1/2 ft. After 30 min Hrs. pumped 15 GPM

" " " " " "

" " " " " "

Well Log:

| Formation            | Depth |     |
|----------------------|-------|-----|
|                      | From  | To  |
| DRILL                | 0     | 19  |
| L.S. yellow M.H.     | 19    | 27  |
| L.S. yellow M.H.     | 27    | 34  |
| L.S. white M.H.      | 34    | 38  |
| L.S. w/c clay        | 38    | 42  |
| L.S. yellow M.H.     | 42    | 55  |
| L.S. yellow M.H.     | 55    | 62  |
| L.S. yellow M.H.     | 62    | 80  |
| L.S. yellow w/c clay | 80    | 140 |
| L.S. yellow M.H.     | 140   | 200 |
| 10' yellow M.H.      | 200   | 204 |
| L.S. yellow M.H.     | 204   | 210 |
| 15' yellow M.H.      | 210   | 220 |
| L.S. yellow M.H.     | 220   | 260 |

(Use Back if Necessary)

Date Completed: 8-18-77

Driller:

Alexander Decker 324  
Driller's or Firm's Name License NO.

Box 115 - Hill City, S.D.  
Address

8-21-77  
Signed By Date

Remarks:

Martinson strap in Pithers

1 1/2 HP. 9' electric pump 29 gpm

20' No. 2 - 1/2" pump 42 gpm

12' 1/2" electric pump 30 gpm

20' 1/2" electric pump 15 gpm

1 1/2' 1/2" electric pump 15 gpm

WATER RIGHTS DIVISION  
(605) 773-3352

June 2, 1986

Thunderhead Episcopal Camp  
c/o John Davis  
P.O. Box 517  
Sioux Falls, South Dakota 57101

Dear Mr. Davis:

There is a well that serves the Thunderhead Episcopal Camp southwest of Lead, South Dakota along Hiway 85. In order to comply with the South Dakota Water Laws it is necessary to have a water permit for any water use other than domestic use (household and livestock). A camp such as this is not domestic use, therefore it requires a Water Permit for the well.

Enclosed are the necessary forms and the instructions in order for you to apply for a permit for the well. Also enclosed is a well log for a well that was filed in 1979 that will assist you in filing your application.

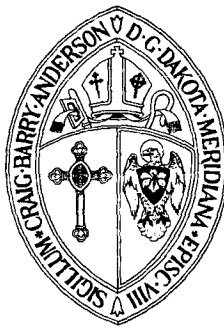
If you have any questions regarding the matter please feel free to contact this office.

Sincerely,

LeRoy J. Mernaugh  
Water Resources Engineer

LJM:ms  
Enc.

# The Diocese of South Dakota



John B. Davis, Administrator

June 13, 1986



Mr. LeRoy J. Mernaugh  
Department of Water & Natural Resources  
523 East Capitol  
Pierre, SD 57501

Dear Mr. Mernaugh:

Thank you for your letter of June 2, and the enclosed information on an application for a permit for a well at Thunderhead Episcopal Center.

In accordance with our usual procedure, I have referred this matter to our Chancellor, Robert J. Maule of Winner. You may expect to hear from Mr. Maule shortly.

If you have questions, or I may be of assistance in the mean time, please let me know.

I remain,

Faithfully,

John B. Davis  
Administrator

In  
6-12.24  
cc: Robert J. Maule, Attorney-at-Law  
Arne Lund

LAW OFFICES  
**MAULE & MAULE**

P. O. BOX 1831  
WINNER, SOUTH DAKOTA 57580

CLAUDE MAULE (1887-1963)  
ROBERT J. MAULE

AREA CODE 605  
TELEPHONE  
842-2821  
842-2822

July 31, 1986

Mr. LeRoy J. Mernauth  
Water Resources Engineer  
Water Rights Division  
Department of Water and Natural Resources  
523 East Capitol  
Pierre, SD 57501

RE: Thunderhead Episcopal Camp

Dear Mr. Mernauth:

I am writing to you in my capacity as Chancellor of The Diocese of South Dakota, who owns Thunderhead Episcopal Camp, that you referred to in your letter of June 2, 1986.

We, of course, are willing to cooperate in this matter, but are perplexed that this has now come up since we have had a well on that property for many, many years.

In order to help me understand the situation I would appreciate receiving from you a copy of the regulations adopted by your department in regard to water permit applications. I am especially interested in the regulations which affect a preexisting well upon which now a permit must be obtained. In your Application form you set forth that the Application will be for new, vested right, future use or change use and I don't see that any of those particular uses are necessarily applicable for our institutional use.

Thanking you very much for your information in this regard. As soon as I receive the same I can proceed to handle the permit matter.

Very truly yours,

MAULE & MAULE

*Robert J. Maule*  
Robert J. Maule

RJM/s





# Department of Water & Natural Resources

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

August 21, 1986

Robert J Maule, Attorney  
Box 1831  
Winner SD 57580

Dear Mr. Maule:

I am writing in answer to your letter of July 31, 1986. A water permit is required pursuant to SDCL 46-1-15, 46-5-9 and 46-5-10 to use water from a private source for an institutional use such as the Thunderhead Episcopal Camp. Any use of water, except for most private domestic uses, requires a water permit. Chapter 46-2A describes the procedures to be followed when making application for a water permit.

There should have been an application filed for a Water Permit at the time the well was constructed for the camp. Since this was not done, an application needs to be filed now. Enclosed is a copy of the well construction report for a well constructed in 1979.

If you have any questions or need assistance with completion of the forms, please feel free to contact us.

Very truly yours,

A handwritten signature in cursive script, reading "John Hatch". The signature is written in dark ink and is positioned above the typed name and title.

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

JH:ks

enclosures



DEPARTMENT OF WATER & NATURAL RESOURCES

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

January 15, 1991

Thunderhead Episcopal Camp  
c/o John Davis  
PO Box 517  
Sioux Falls SD 57101

Dear Mr. Davis:

On June 2, 1986, we notified you that a permit to appropriate water is needed for institutional use of water from a private water supply. The forms needed to apply for a water permit were enclosed with your notification. To date, we have not received a response from you.

Obtaining a water permit ultimately benefits you by protecting your right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right. Currently, a water permit for the Thunderhead Episcopal Camp has not been found on file with the Division of Water Rights. If you believe you already have the required water permit or if you no longer use water from a private water supply, please inform us.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit to use water for institutional purposes from a private water supply. Enclosed is another set of application forms with an instruction sheet. Please follow the instruction sheet carefully and contact me if you need assistance.

Please respond by filing an application form or contacting me by March 15, 1991.

Sincerely,

*Eric Gronlund*  
Eric Gronlund  
Water Rights Division  
Phone: (605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

June 11, 1992

Arnie Lund  
Thunderhead Camp  
P.O. Box 890  
Lead SD 57754

Dear Mr. Lund:

I am contacting you regarding the possibility that you may need a permit to appropriate water for use in your facility. We have reviewed our records after receiving information from the Office of Drinking Water and can not locate a water permit for your facility.

Pursuant to South Dakota Codified Laws 46-1-15 and 46-5-10, a water permit is required to use water from any water source, except for private domestic use. Examples of commercial use that require permits for private water supplies are: truckstops, motels, restaurants, tourist attractions, bars, clubs, commercial campgrounds and any other business operation. Examples of noncommercial use that require permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute or use water outside of the school building. A vested water right can be claimed for water uses beginning on or prior to February 28, 1955, for ground water or March 2, 1955, for surface water.

An existing business without a water permit has no legal right to the use of water. Water users without a water permit are not protected if their water use is interfered with by someone who has a water right. If you believe you already have a water permit or if you have a permit issued under another name, please contact us.

Enclosed are water permit application forms and an instruction sheet. Please complete and return the application with the required fee to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by July 10, 1992. If you have questions or need assistance contact Don Frye, Natural Resources Analyst (605-773-3352).

Very truly yours,

Ron Duvall, Natural Resources Engineer  
for JOHN HATCH, Chief Engineer  
Water Rights Division  
enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

July 21, 1992

Arnie Lund  
Thunderhead Camp  
P.O. Box 890  
Lead SD 57754

Dear Mr. Lund:

I am writing to follow-up to my June 11, 1992 letter regarding the legal requirement that you obtain a permit to appropriate water for use in your facility. We have reviewed our records and can not locate a water permit for your business. **A Business without a water permit has no legal right to the use of water. The Chief Engineer can issue a shut off order, if the illegal use of water continues.**

Please complete and return the application that was sent to you with my June 11, 1992 letter. Send the application, with the required fee, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by August 21, 1992. If you believe you already have a water permit, have a permit issued under another name, or need assistance, contact Don Frye, Natural Resources Analyst (605-773-3352).

Very truly yours,

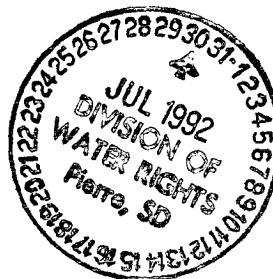
RON DUVALL, Natural Resources Engineer  
for JOHN HATCH, Chief Engineer  
Water Rights Division

# The Diocese of South Dakota



Mr. Randy Reinartz  
Executive Officer

July 29, 1992



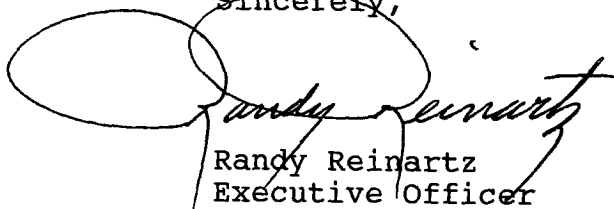
Ron DeVahl  
Natural Resources Engineer  
Department of Environment and Natural Resources  
Joe Foss Building  
523 East Capitol  
Pierre, SD 57501-3181

Dear Mr. DeVahl:

I am responding to your July 21st letter to Mr. Arne Lund, Thunderhead Episcopal Camp, regarding a water permit for the Camp. Mr. Lund has just recently forwarded the application to me, as I have responsibility for this type of application.

I will be leaving on vacation for two weeks beginning July 30th. I will complete the application and return it to you after I return. If you have questions please call me prior to the 30th. Thank you.

Sincerely,



Randy Reinartz  
Executive Officer

VS

# The Diocese of South Dakota



Mr. Randy Reinartz  
Executive Officer

October 14, 1992



Mr. Everett Balcom  
Farmers Supply Co.  
2401 S. Hwy 79  
Rapid City, SD 57701

Dear Mr. Balcom:

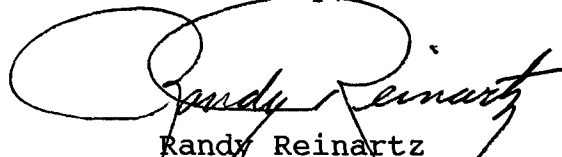
In trying to seek a water permit for Thunderhead Episcopal Center some forms need to be completed. Since you have worked on the well at TEC, I am hopeful that you can assist me in completing the enclosed forms.

On the application form I would appreciate if you could give us information that would answer numbers 2, 3 & 4. On the supplemental information form I would appreciate any and all information that you could secure for us.

If you have a problem with this or have questions please contact me here at the Diocesan Office.

Please know of my appreciation for your help in this matter and thanks in advance for your time.

Sincerely,

  
Randy Reinartz  
Executive Officer

vs  
encls

*your present pumping rate is 11 to 15  
gal per min. 50 g.p.m. should be  
more than you can obtain from  
this well.*  
*Everett*



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

December 1, 1992

Randy Reinartz  
500 S. Main Ave.  
Sioux Falls, SD  
57102-0914

Dear Mr. Reinartz:

This letter is to follow up on your letter dated July 29, 1992 (copy enclosed.)

We have not yet received your application for a water permit for Thunderhead Camp. As noted in the enclosed letter dated July 21, 1992, failure to submit an application can result in the chief engineer issuing a shutoff order. Please complete and return the enclosed water permit application by December 31, 1992.

The completed application, with the required fee, needs to be sent to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501".

If you need assistance, contact Barry McLaury, Natural Resources Analyst (605-773-3352).

Very truly yours,

RON DUVALL, Natural Resources Engineer  
For JOHN HATCH, Chief Engineer  
Water Rights Division

enclosures



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

January 20, 1993

The Chapter of Calvary Cathedral  
Randy Reinartz  
500 S Main  
Sioux Falls SD 57102

Dear Mr. Reinartz:

In regard to the water permit application received on January 19, 1993 for the Thunderhead Episcopal Center, the following information needs to be submitted and clarified in order to process the application.

Enclosed is the application which must be signed and notarized. Also, enclosed is the map submitted with the application and a copy of a topographic map of the area. Please mark, with an "X", the location of the well on both your map and the topographic map. On Item No. 4 of the application, please list the quarter-quarter (40 acre parcel) section-township-range of the well location. This must correspond with the location identified on the maps.

On the application, Item No. 2 you indicated the amount of water claimed to be 50 gallons per minute (gpm). Enclosed is the check for \$50.00. The filing fee for an application over 45 gpm is \$150.00. The amount of water claimed should be based on the pump rate which would be 15 gpm, based on the letter from Everett Balcom. If the application is amended to 45 gpm or less, then the \$50.00 filing fee will be correct. Please let us know if you wish to amend the application and submit the proper fee.

Also on the application, you have marked Vested Right. In order to qualify for a vested right. The well had to be drilled and water put to beneficial use prior to 1955. If this is the case, the enclosed Form 2B, Affidavit of Water Use form must be completed, signed and notarized and the filing fee will be \$15.

Upon receipt of the above, further processing of your application will continue. If you have any questions, please contact this office.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Natural Resources Analyst  
605 773-3352

enclosure

Water Rights Division - DENR  
Conversation File Documentation

NAME OF PERSON OR FILE: The Chapter of Calvary Cathedral-WP Appl. No. 1571-1

ADDRESS: \_\_\_\_\_ COUNTY: \_\_\_\_\_

DATE: 3/17/93 TELEPHONE: 338-9751

RE: Conversation with Randy Reinartz

COMMENTS:

I contacted Mr. Reinartz regarding the wastewater disposal system utilized at the Thunderhead Episcopal Center. He told me that the center utilizes a septic tank and drain field that was constructed in approximately 1977.

I also asked Mr. Reinartz about the diversion rate of 45 gpm. He stated that he put down 45 gpm because that was the point where the application filing fee changed. I pointed out to him that we need to know the maximum pump rate for the water source and a letter in the file from the person who serviced the pump states the well produces 15 gpm. Mr. Reinartz agreed to amending the application 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 Horklund

REPORT ON APPLICATION NO. 1571-1  
for The Chapter of Calvary Cathedral  
March 5, 1993

Application No. 1571-1 proposes to appropriate 15 gpm (0.03 cfs) from one well approximately 268 feet deep located in the SE 1/4 SE 1/4 of section 15, T3N R1E BHM in Lawrence County. The water is for institutional use at the Thunderhead Episcopal Center.

**AQUIFER - MADISON FORMATION (MDSN)**

The Madison Formation consists of limestone and dolomitic limestone, gray to buff in color, generally massive and cavernous in upper part and varying in thickness from 400 to 850 feet in the northern Black Hills area (Peter, 1987). Ground water is obtained from fractures and solution openings within the rock. The aquifer is unconfined (water table conditions) at this site. The driller's log for this application indicates fractures were encountered at depths of 200 and 217 feet below land surface. The completion report indicates that the well produced 15 gpm using air to develop and had a static water level of 151 feet below land surface. The entire depth of the well is within the Madison Formation.

The Division of Water Rights does not monitor any observation wells completed into the Madison Formation in this area. This application is located in a major potential recharge area for the Madison Formation. An observation well PE-91A was completed into the Deadwood Formation about 7 miles south of this application. Water levels at this site are 361 feet below land surface and the drilling indicated that the Madison was dry (Water Rights, 1993). There is no historical data available to determine any water level trends for the Madison Formation in this area.

**TERM LIMITATION:**

SDCL 46-2A-20 requires that ". . . no water permit for construction of works to withdraw water from the Madison formation in Butte, Fall River, Custer, Lawrence, Meade and Pennington counties may be issued for a term of more than twenty years, unless the water management board determines, based upon the evidence presented at the hearing that:

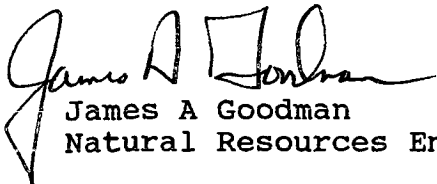
- (1) Sufficient information is available to determine whether any significant adverse hydrologic effects on the supply of water in the Madison formation would result if the proposed withdrawal were approved; and
- (2) The information, whether provided by the applicant or by other means, show that there is a reasonable probability that issuance of the proposed permit would not have a significant adverse effect on nearby Madison formation well and springs."

## REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights in this area for water from the Madison Formation. The nearest existing water permit is No. 1551-1 which is located about 3 miles west of this application. The well for this permit is completed into the Deadwood Formation. Interference is not expected to be a concern. The diversion rate for this application is small and there are no other permits/rights in the area.

## CONCLUSIONS

1. Water is available from the Madison Formation.
2. The Madison Formation is unconfined at this site. Interference is not a concern.
3. The well covered under this permit has been in use for many years with no reported complaints.
4. The well completion report and information supplied by the pump installer indicate that the well should be permitted for about 15 gpm.
5. Although the long term cumulative affects of the development of the Madison Aquifer are not known, the contribution this appropriation will have on the cumulative affect is expected to be negligible.
6. There is a reasonable probability that issuance of this permit will not have a significant adverse effect on nearby Madison formation wells and springs.
7. The well completion report does not contain enough information to determine if this well is completed in accordance with SD Well Construction Standards.
8. The wastewater disposal system for this facility consists of a septic tank and drainfield which were constructed in approximately 1977.



James A Goodman  
Natural Resources Engineer

## BIBLIOGRAPHY

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, WRI 86-4158, USGS, Rapid City, SD, 57701.

Water Rights, 1993, Unpublished Observation Well Records for Black Hills Area, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 1571-1, The Chapter of Calvary Cathedral

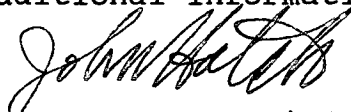
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 1571-1, The Chapter of Calvary Cathedral, c/o Randy Reinartz, 500 South Main, Sioux Falls, SD 57102.

The Chief Engineer is recommending APPROVAL of Application No. 1571-1 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, 4) in the public interest, and 5) issuance as a permanent permit will not be in violation of SDCL 46-2A-20.

Chief Engineer's Finding on Application No. 1571-1.

Since the well requested by Application No. 1571-1 has been in use since 1979 and the amount of water requested is only 15 gallons per minute, 1) no significant adverse hydrologic effects on the supply of water in the Madison formation will result, and 2) issuance of this permit will not have a significant adverse effect on nearby Madison formation wells or springs. Therefore, issuance of Permit No. 1571-1 as a permanent permit will not be in violation of SDCL 46-2A-20.

See report on application for additional information.



JOHN HATCH, Chief Engineer  
March 12, 1993



**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.**

March 22, 1993

Randy Reinartz  
The Chapter of Calvary Cathedral  
500 South Main  
Sioux Falls, SD 57102

Dear Mr. Reinartz:

Water Permit Application No. 1571-1 for institutional 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 (Ph # 584-2303). 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

March 22, 1993

Lead Daily Call  
Box 876  
Lead, SD 57754

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1571-1 to be published twice. Please publish the first notice on March 29, 1993, 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 Chapter of Calvary Cathedral, 500 South Main, Sioux Falls, SD 57102 (Ph # 338-9751).

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 March 29, 1993, with the second publication 7 days later. The applicant is responsible for payment.

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NOTICE OF HEARING on Application No. 1571-1 to Appropriate Water

Notice is given that the Chapter of Calvary Cathedral, 500 South Main, Sioux Falls, SD 57102 has filed an application for a water permit to appropriate 15 gallons per minute (0.03 cubic feet of water per second) from one well approximately 240 feet deep (Madison Formation) located in the SE 1/4 SE 1/4 Section 15-T3N-R1E. The water is for institutional use at the Thunderhead Episcopal Center.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1571-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, 4) it is in the public interest, and 5) issuance as a permanent permit will not be in violation of SDCL 46-2A-20.

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 23, 1993. 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.

The Board will consider this application at 10:00 a.m., May 5, 1993, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. 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 May 5, 1993, 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 23, 1993.

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 April 23, 1993, 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.

# Affidavit of Publication

STATE OF SOUTH DAKOTA  
COUNTY OF LAWRENCE

SS.

Billy T. Masterson, Jr. of said County and State being duly sworn, on his oath says: That The LEAD DAILY CALL/DEADWOOD PIONEER-TIMES is a legal daily newspaper of general circulation, printed and published in the City of Lead, in said County and State by Seaton Publishing Company, and has been such a newspaper during the times hereinafter mentioned; and that I, Billy T. Masterson, Jr., the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice of Hearing

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive and consecutive weeks the respective publications thereof being made on MAR 29 19 93 and on \_\_\_\_\_ 19 \_\_\_\_\_



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19

19

and the last publication thereof on APR 5 19 93

and that the full amount of fees charged for publishing same, to-wit: the sum of \$ 50.92 insures solely to the benefit of the publisher and that no arrangement or understanding for a division thereof has been made with any person other than the publisher, and that no part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this 5 day of APR 19 93



Arlith Johnson

Notary Public, Lawrence County, South Dakota

My commission expires: 10-31-96

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(over)

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95

L-852  
March 29, April 5



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

SEP 17 1993

Randy Reinartz  
The Chapter of Calvary Cathedral  
500 S Main  
Sioux Falls, SD 57102

Dear Mr. Reinartz:

Enclosed is Water Permit No. 1571-1 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,

A handwritten signature in dark ink, appearing to read 'John Hatch', is written over the typed name.

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

October 22, 1997

Jo Parker  
1605 Pennington Street  
Rapid City, SD 57701

Dear Mrs. Parker:

We are in receipt of the water right permit application for the Thunderhead Episcopal Center. It is with some embarrassment that I tell you once we began reviewing the application it was discovered that a water right already exists for the church camp.

Water Right No. 1571-1 appropriates 15 gallons per minute from the well. The water right is in the name, The Chapter of Calvary Cathedral, at the same address as your application. Father Ken Brown and Randy Reinartz were the contact people when the original permit was obtained. I am enclosing a copy of the water right.

I apologize that I did not find out that a permit existed for the camp. I know you went to a lot of working getting the information for the application together.

The application filing fee of \$50 will be refunded immediately. Please let me know if you have any questions.

Sincerely,

*Eric Gronlund*  
Eric Gronlund  
Water Rights Program  
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

November 14, 1995

1571-1

Father Ken Brown  
The Chapter of Calvary Cathedral  
500 S. Main Street  
Sioux Falls, SD 57102

Dear Father Brown:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 1571-1, has been completed. Your final water right document, the Water License, can now be issued.

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

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

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

Sincerely,

Cheryl F. Frost  
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

414670

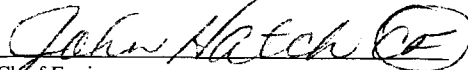
## Division of Water Rights

### South Dakota Department of Environment and Natural Resources

Pierre, \_\_\_\_\_ November 17, 19 95

RECEIVED OF The Diocese of South Dakota, 500 South Main Ave., Sioux Falls, SD 57102  
the following amount in fees for services rendered as provided for by law:

|                                                                                                                      |              |       |
|----------------------------------------------------------------------------------------------------------------------|--------------|-------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____ |              |       |
| Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____                                  |              |       |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                               |              |       |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1571-1</u>          | 50           | 00    |
| Fee for Filing Transfer Form _____                                                                                   |              |       |
| Fee for Filing Extension Request _____                                                                               |              |       |
| Fee for _____                                                                                                        |              |       |
| _____                                                                                                                |              |       |
| _____                                                                                                                |              |       |
| (Any Other Work Provided by Law)                                                                                     | <b>Total</b> | 50 00 |

By John Hatch   
Chief Engineer

**Permit No.1571-1**  
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, 9/13/1995, made a thorough examination of the water use system owned by the Chapter of Calvary Cathedral of 500 S. Main Street, Sioux Falls, SD 57102 holder of Permit No. 1571-1, bearing the priority of January 19, 1993, authorizing the diversion of 0.033 cu. ft. per second of the waters of groundwater for institutional purposes, in Lawrence County.

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

- A. Works used to divert the water:  
A submersible pump, 15 gallons per minute capacity.  
A submersible motor, 1 1/2 horse power.
- B. Works used to transport water to place of use:  
10 feet of 2 inch PVC pipe.
- C. Works used to apply water to beneficial use:  
Water is used in a church camp.

The system is in the following condition **Good**. The point of diversion is located about **1110 feet west, 240 feet north from the southeast corner of Section 15, T3N-R1E (SE1/4 SE1/4)**. The works are capable of diverting and conveying to the place of use 0.033 cu. ft. per second of water which is used for **institutional purposes**.

The license should be issued for 0.033 cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: **None**

Date Report Completed: **11/13/1995**

  
\_\_\_\_\_  
M. Rassool Ahadi  
Natural Resources Engineer  
DENR, Water Rights Program

## **REPORT ON INSPECTION OF PERMIT NO. 1571-1**

**DATE OF INSPECTION: 9/13/1995**

**NAME & ADDRESS OF INSPECTION CONTACT/Father Ken Brown, 625 W. Main Street, Lead, SD 57754**

**RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Representing the church in Lead**

**NAME & ADDRESS OF PERMIT HOLDER: The Chapter of Calvary Cathedral, 500 S. Main, Sioux Falls, SD 57102**

**DIVERSION POINT LEGAL LOCATION: SE1/4 SE1/4 Section 15, T3N-R1E.**

### **WELL INFORMATION:**

- 1) Well Drilling Firm: **Alexander (?)**
- 2) No. of Wells **1**
- 3) Depth(s) **268** feet
- 4) Well log is available **Y(?)**
- 5) Comment: **The well log found in Program's files is for a well located in the NE1/4 NE1/4 Section 22, T3N-R1E, which is very close to the location of the well for this permit.**

### **Casing:**

- 1) Diameter **6** inches
- 2) Length **270** feet
- 3) Type **Steel**

### **Screen: Unknown**

- 1) Type
- 2) Length feet
- 3) Static water level about **150** feet

### **Pump:**

- 1) Make **Submersible**
- 2) Model
- 3) Size
- 4) Capacity **15** GPM

**Motor:**

- 1) Make **Submersible**
- 2) Model No.
- 3) Horsepower rating **1 1/2 hp**

**DISTRIBUTION LINES OR CANALS:**

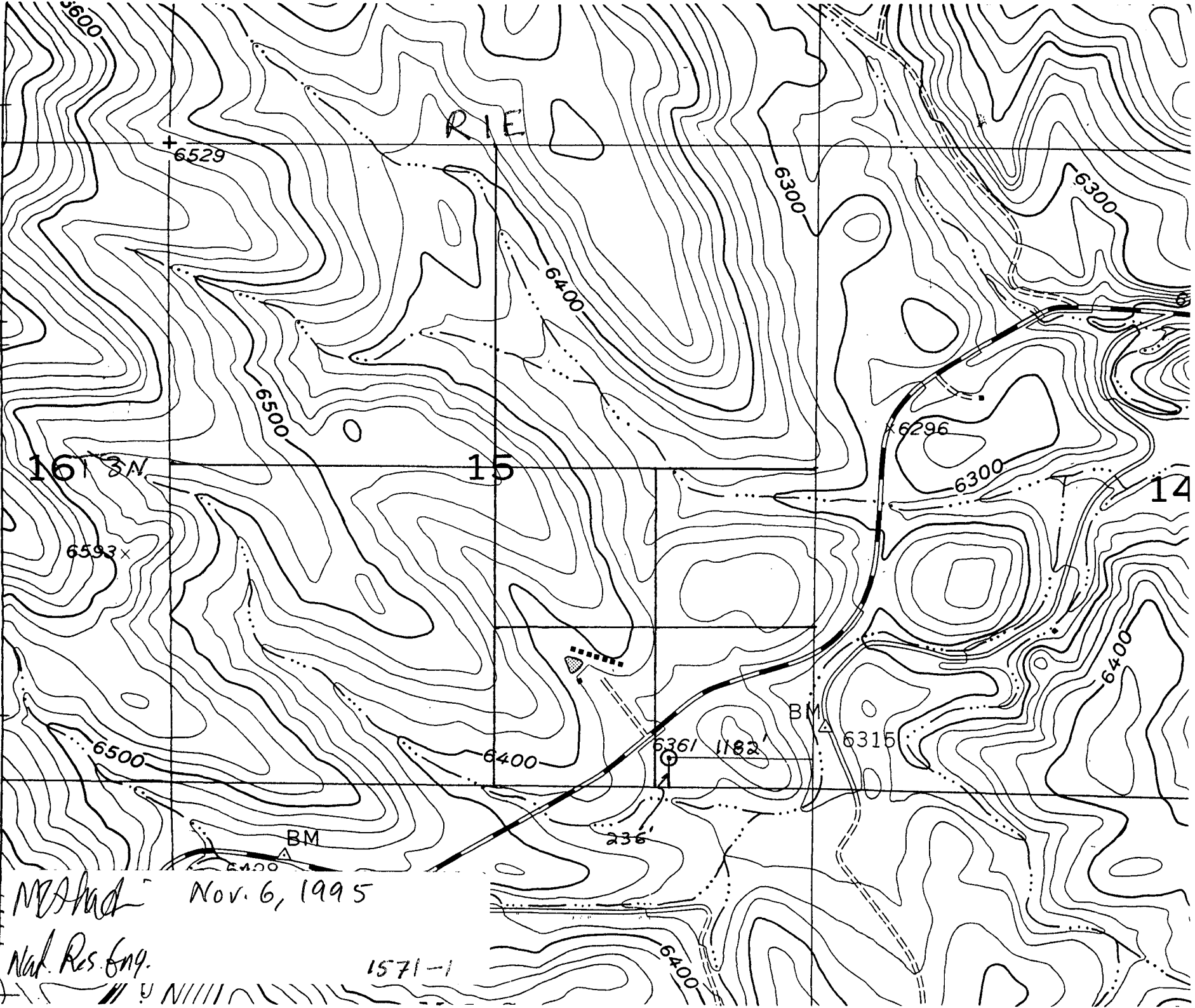
- 1) Type **PVC**
- 2) Size **2** inches
- 3) Length **10** feet

**One 80 gallon pressure tanks is used to regulate the pressure.**

**PERMIT QUALIFICATIONS AND REGULATIONS:**

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit **NA**
- 2) Special qualifications to permit being abided by **Y**
- 3) All structures, well on map **Y**
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **NA**

0000 FEET  
(SOUTH)



MSA had

Nov. 6, 1995

Nat. Res. Engr.

1571-1

12'30"

**STATE OF SOUTH DAKOTA**  
**WATER LICENSE NO. 1571-1**

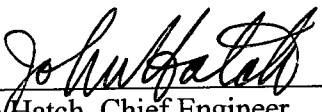
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(1) The Chapter of Calvary Cathedral of 500 S Main, Sioux Falls, SD 57102 made Application No. 1571-1, January 19, 1993 for a water permit to appropriate 0.03 cubic feet of water per second from groundwater (one well), Lawrence County, South Dakota for institutional purposes. Permit No. 1571-1, with a priority date of January 19, 1993 was approved May 5, 1993 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 1110 feet west and 240 feet north of the SE corner of Section 15, T3N, R1E (SE 1/4 SE 1/4).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Chapter of Calvary Cathedral of 500 S Main, Sioux Falls, SD 57102 the holder and/or owner of Water Permit No. 1571-1 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 January 19, 1993 from the location specified in (2) of this license. The water is used for institutional purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 1571-1 and subject to South Dakota State Law.

  
\_\_\_\_\_  
John Hatch, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

DEC 18 1995

\_\_\_\_\_  
date





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

DEC 18 1995

1571-1

Father Ken Brown  
The Chapter of Calvary Cathedral  
500 S. Main  
Sioux Falls, SD 57102

Dear Father Brown:

Enclosed is Water License No. 1571-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414670 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1571-1, 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

gm  
enclosures