

WATER PERMIT NO. 1581-1

Phone: 347-4428 or 347-5269

Name of Applicant: Bear Butte Water Association

Post Office Address: HC 77, Box 92, Sturgis SD 57785

Amount of Water Claimed: 45 gpm Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: rural water system use County: Meade

About 7 miles NE of Sturgis

PRIORITY Date Received: 5-26-93 Fee: \$50.00 Remarks: _____

Corrected Application Received: 6-8-93 Period of Annual Use: Jan 1 - Dec 31

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

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

Diversion Point: NW 1/4 NW 1/4 Sec 19-T6N-R6E

Land to be Irrigated: _____

	ⓧ				
		19			

Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: approximately 840' REMARKS: _____

Type of Map: aerial PREPARED BY: Mick Hurlburt, ASCS Reviewed and the Number

Assigned on: 6-8-93 By: Karen Schlaak

FORM 2: Application for uses other than irrigation

(type or print)



Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 15B1-1 Hydrologic Unit 10120202
Basin Belle Fourche
Newspaper Meade Co. Times - Tribune, Box 69, Sturgis
(office use only)

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water:

☐ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☒ Rural Water System ☐ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☒ Domestic ☐ Industrial ☐ Other _____
(over 18 gpm)

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

1. Name of Applicant Bear Butte Water Association Phone 347-4428 or 547-5269
Mailing Address HC 77 Box 92 Sturgis State SD 57785
(Street, RR, or Box) (City) (Zip Code)

2. Amount of water claimed 0.10 *CFS or 45 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Well from Madison Aquifer

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____

NW 1/4 NW 1/4 Section 19-T10N-R16E County MEADE

5. County or counties where water will be used MEADE

6. Annual period during which water is to be used Jan 1 - Dec 31

7. Give a description of the 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)

5 Ranches Need Water along with the Bear Butte State Campground. All of us have hauled water during times of drought. The proposed well + approx 8 miles of ~~comp~~ pipeline would solve this problem. The water is to be used for Livestock + House use only with exception of the Campground summer use.

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of MEADE)ss

I, Myron M. Hurlburt, 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 Myron M. Hurlburt

Subscribed and sworn to before me this 24th day of May 1993

Carlene M. Rosenbaum
Notary Public

My commission expires 8/19/98

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

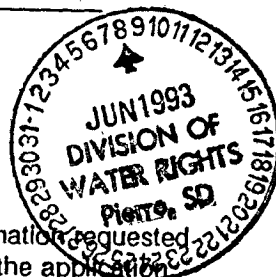
- a) Drill Hole Diameter 6 3/4 Depth 840'
b) Casing Type Steel Diameter 5 1/2 O.D. Thickness _____
c) Screen Type _____ Diameter _____ Thickness _____
d) Gravel Pack Thickness _____ Length of Gravel Pack _____
e) Depth to Top of Water Bearing Material _____
f) Depth to Water (ground surface to water level) _____
g) Distance to nearest existing domestic well:
On applicants property NONE On property owned by others 1/2 mile

2. Dugout Information

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to 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

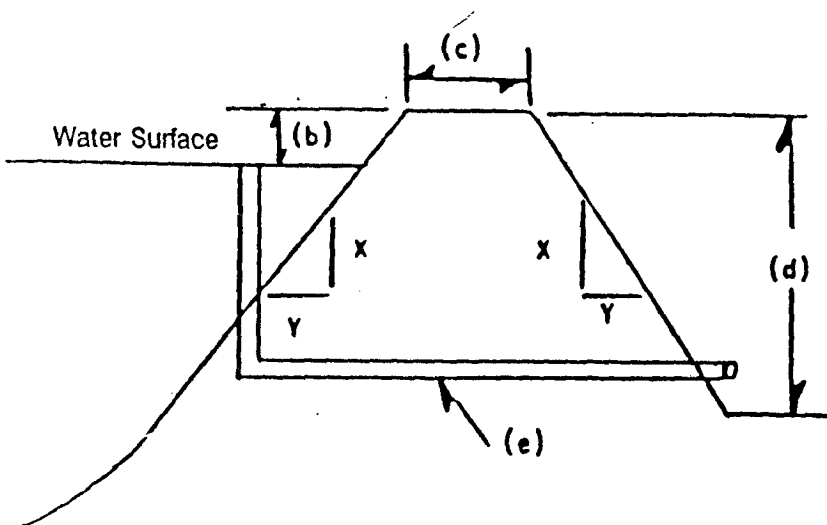
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area above Dam _____ Acres



**SOUTH DAKOTA
WATER PERMIT NO. 1581-1**

Date of first receipt of application May 26, 1993.

Date of return to applicant for corrections, amendments or changes June 3, 1993.

Date of receipt of corrected application June 8, 1993.

The Water Management Board approved Water Permit Application No. 1581-1 on September 2, 1993 for Bear Butte Water Association, HC 77, Box 92, 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. 1581-1 appropriates 0.10 cubic feet of water per second (45 gallons per minute) from one well (Madison Formation) approximately 840 feet deep located in the NW 1/4 NW 1/4 Section 19-T6N-R6E.
2. The water appropriated shall be used for the purpose of supplying water for a rural water system, livestock water and supplies the campground at Bear Butte State Park and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is May 26, 1993.
5. One-fifth of the construction is to be completed on or before March 2, 1995.
6. All construction is to be completed on or before September 2, 1998.
7. Water is to be put to beneficial use on or before September 2, 2002.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

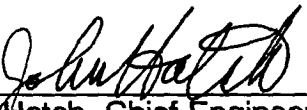
QUALIFICATIONS

1. Approval of Permit No. 1581-1 does not authorize completion of a well into both the Minnelusa and Madison Formations.
2. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1581-1 is issued for a twenty year term. Pursuant to SDCL 46-2A-21, the twenty year term may be deleted at any time during the twenty year period or following its expiration. If the twenty year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 1581-1 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1, and Board Rule ARSD 74:02:01:37.
3. The well authorized by Permit No. 1581-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the top of the Madison Formation to the surface pursuant to Section 74:02:04:28.

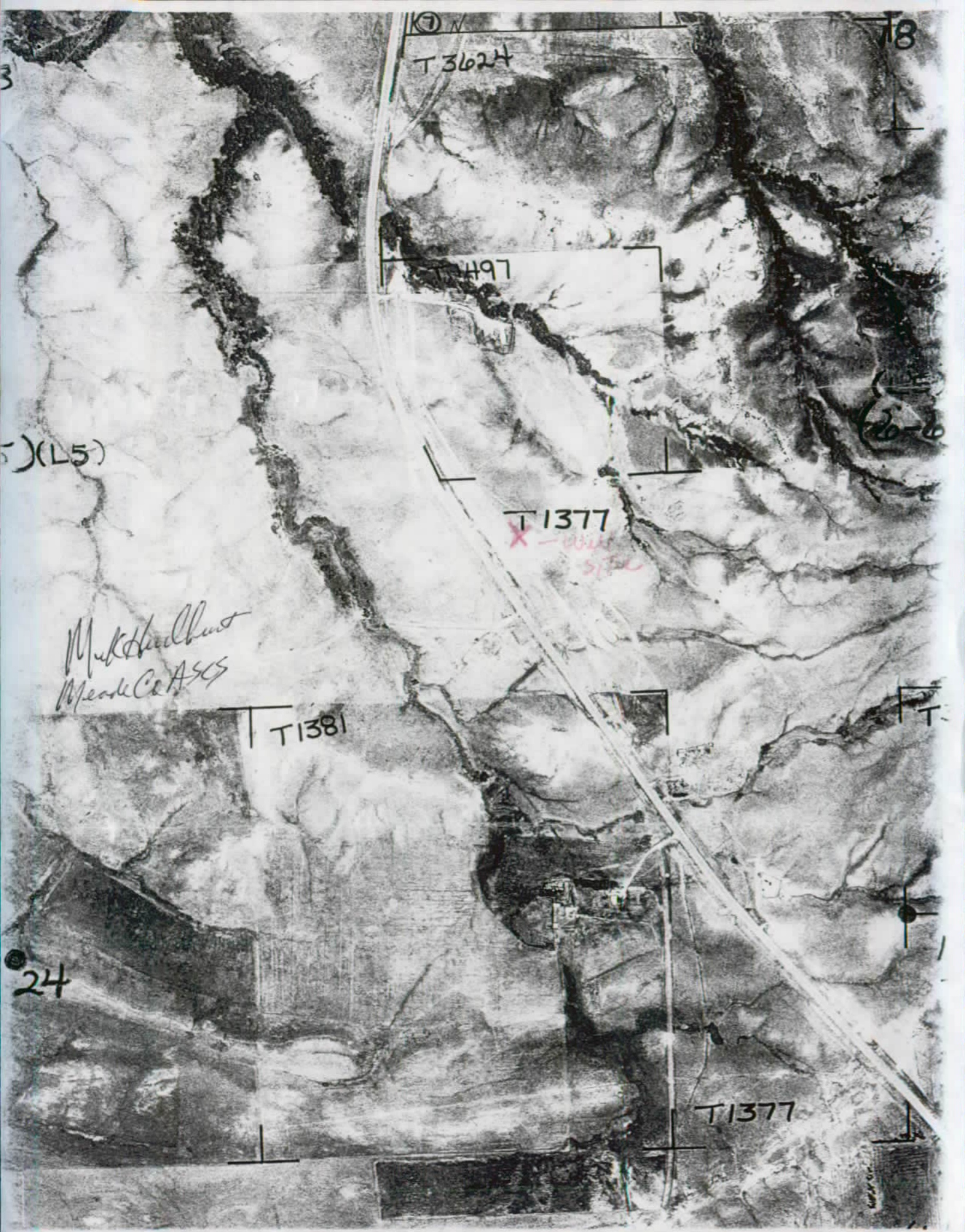
(continued)

4. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
5. 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

OCT 15 1993
date



T 3624

T 497

T 1377

X - water
SITE

T 1381

T 1377

Mukhtulbut
Meade Co. ASGS

24

5)(L5)

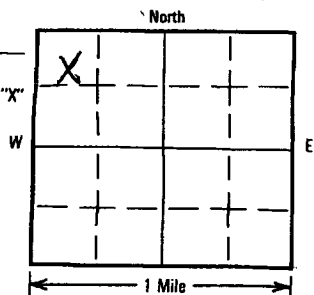
18

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 NW 1/4 Sec 19 Twp 6 Rg 6County Meade

Please mark well location with an "X"

Well Completion Date 9-24-93

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? NONE ft. from NONE (identify source).

PROPOSED USE:

☒ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Rotary Air-Water

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>23 LB/FT</u>	<u>7 IN</u>	<u>0' FT</u>	<u>410 FT</u>	<u>8 3/4 IN</u>
<u>15.5 LB/FT</u>	<u>5 IN</u>	<u>370 FT</u>	<u>810 FT</u>	<u>6 1/4 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Portland No. of Sacks 70 Grout Weight 94 1/2 lb./gal From 0 ft. To 410 ft.
 type I-II 26-5" 94 1/2 lb./gal 370 ft. 810 ft.
 Describe grouting procedure 7" Press grout thru
Casing to surface
5" Pressure grout thru drill
pipe, left hand thread to casing

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION:

Was well disinfected upon completion? ☒ YES. How: CHLORINE

NO. Why Not? _____

Well Owner: Bear Butte Water Assn.

Business Name: _____

Address: HC 77 Box 92Sturgis S.D. 57785

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Spearfish</u>	<u>0'</u>	<u>260'</u>
<u>Minnekahta</u>	<u>260'</u>	<u>287'</u>
<u>Opeche</u>	<u>287'</u>	<u>420'</u>
<u>Minnehaha</u>	<u>420'</u>	<u>820'</u>
<u>Madison</u>	<u>820'</u>	<u>900'</u>
<u>Making water</u>		
<u>in void in</u>		
<u>Limestone</u>		
<u>@ 875' - 880'</u>		
<u>@ 886' - 889'</u>		

STATIC WATER LEVEL

22

Feet

If flowing: closed in pressure _____

PSI

GPM flow _____ through _____

inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____

GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ PumpedDescribe: Air Developed☐ Bailed☒ Other _____

Pumping Level Below Land Surface

600 ft. After 1 Hrs. pumped 400 GPM200 ft. After 1 Hrs. pumped 150 GPM

If pump installed, pump rate _____

GPM

REMARKS

Well was logged
by U.S.G.S. After
Casing & developing & Read
by Dr. Corlies & samples
568

This well was drilled under license # _____

And this report is true and accurate.

Drilling firm Cimarron Drilling

Signature of License Representative: _____

Michael J. Deutch

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

2/25/94

Laboratory sent to for water quality analysis _____

Twin City
Test, N.Y.

442815103263801

U.S. GEOLOGICAL SURVEY

Location 6N6E14 BBDB

Well Owner Mick

SW of Bear Butte

County Meade

Date 9-27-98

Logged By D. Herin

Geophysical Unit

Log Data

Electric (SP/1-Pt.Res.)

Natural Gamma XXXX

Caliper

Temper

OHMS

Millivolts

Time Constant

Count Rate

First Reading 904

Last Reading

Total Footage Logged

Probe Velocity 30 FPM

Chart Speed 1" =

Well Data

Type of Well Production

Total Depth 904

Diameter

Surface Formation Spearfish

Bottom Hole Formation Ma

REMARKS CORRELATIONS BY FRED V. STEECE, DENR 10-

State
Geology



-60

-80

-100

10

20

30

40

50

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70

-120

-140

-160

-180

-200

-220

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-240

299

-300

OPECHE

-320

-340

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-440

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MINNELUSA

-460

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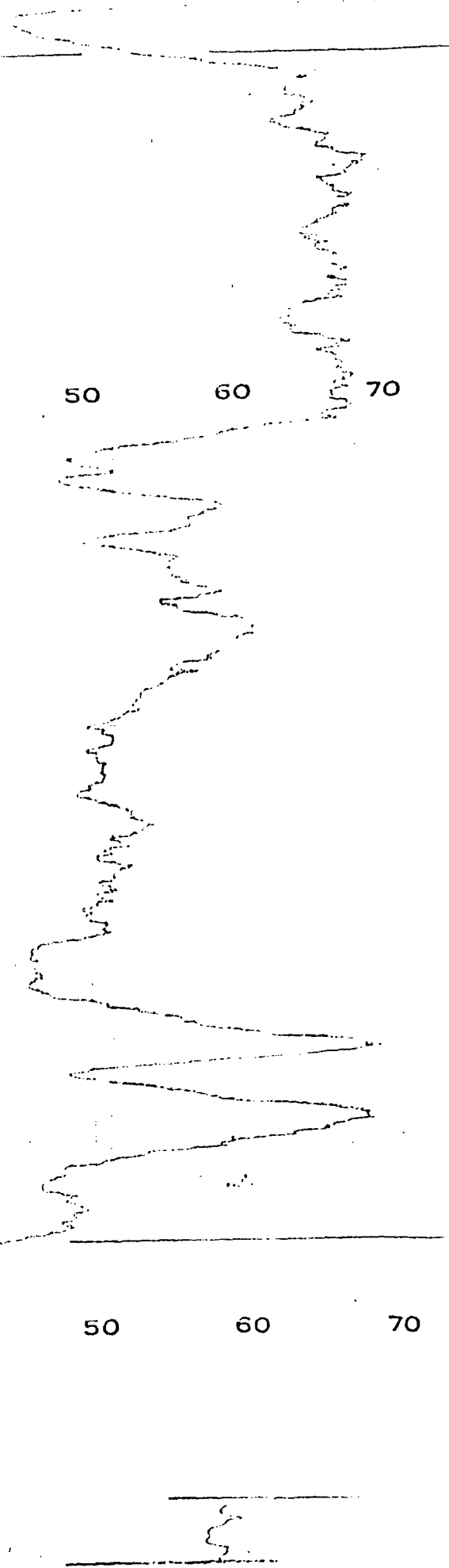
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-540

-560

-580

-600

-620

-640

-660

-680

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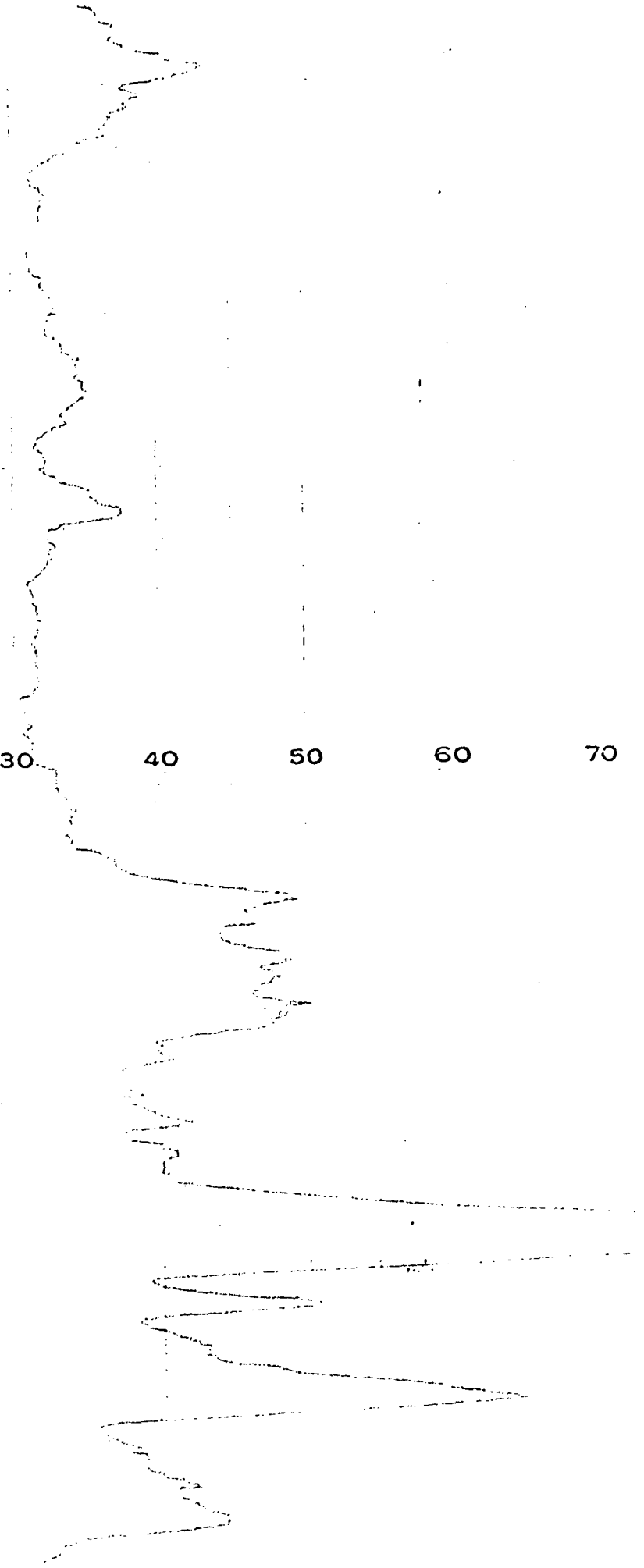
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-720

-740

-760

-780

-800

-820

-840

-880

- 904
TD

10

20

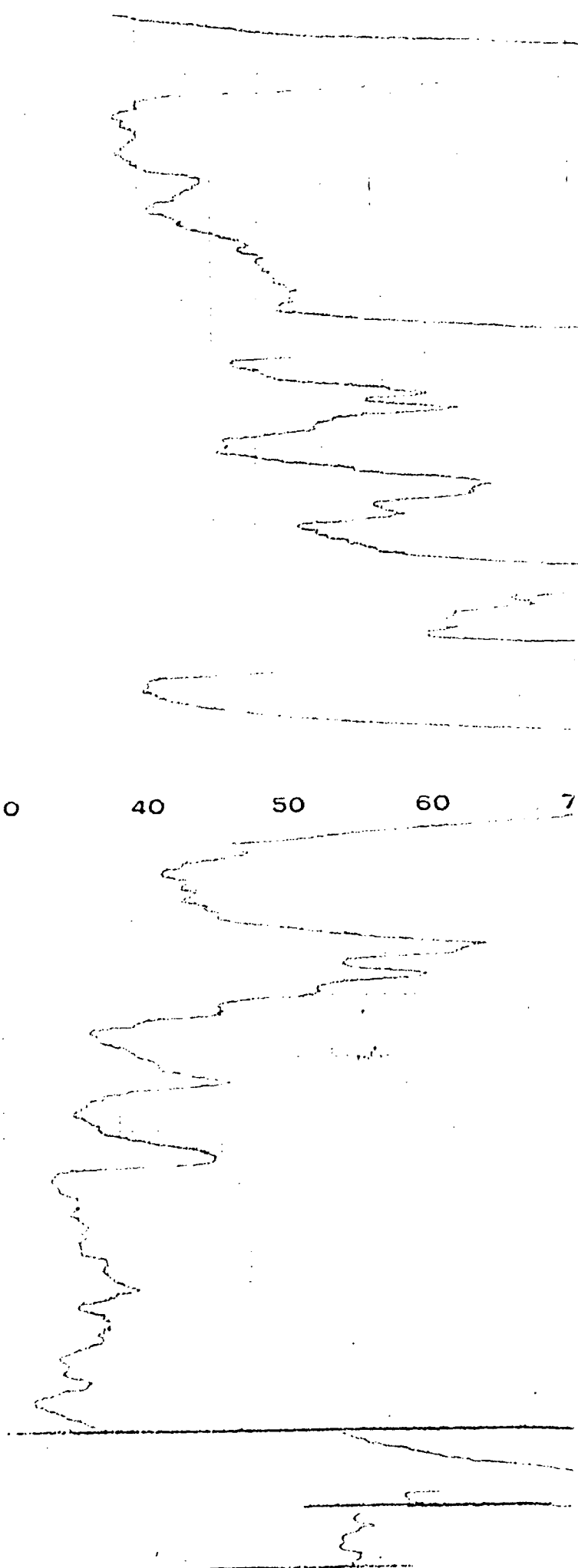
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7



RECEIPT

413785

Division of Water Rights

South Dakota Department of Environment and Natural Resources

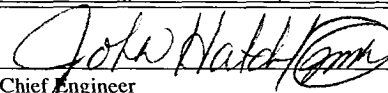
Pierre, _____ May 28, 19 93

RECEIVED OF Myron Hurlburt, HC 77 Box 92, Sturgis, SD 57785

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

Fee for Application for Permit No. <u>1581-1</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 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 3, 1993

Bear Butte Water Association
Myron M. Hurlburt
HC 77, Box 92
Sturgis SD 57785

Dear Mr. Hurlburt:

In regard to your water permit application received on May 26, 1993, the following information needs to be clarified in order to process your application.

The application states the well is to be located in the NE 1/4 Section 19-T6N-R6E. The location of the well as marked on the aerial photo would indicate that the well is located in the NW 1/4 NW 1/4 Section 19-T6N-R6E. Which location is correct?

The water permit application can not be considered until the application is complete. Upon clarification of the location of the well, 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

Karen Schlaak

Dear Karen -

Sorry, I was in error.
the application should have
stated the NW of 19 -
I have changed it.

Thanks

Mick Hurlburt





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

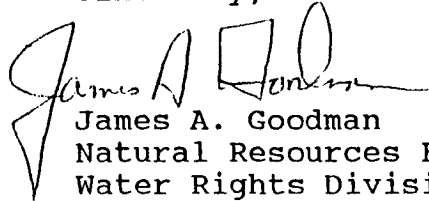
August 16, 1993

Mick Hurlburt
Bear Butte Water Association
HC 77, Box 92
Sturgis, SD 57785

Dear Mr. Hurlburt:

You are authorized to construct a test well in T6N, R6E Section 19. This test well must be constructed in accordance with SD Well Construction Standard 74:02:04:28. A copy of this authorization and your request will be filed with Water Permit Application No. 1581-1. If there are any questions, or if I can be of any assistance, please feel free to contact me.

Sincerely,



James A. Goodman
Natural Resources Engineer
Water Rights Division
(605) 773-3352

REPORT ON APPLICATION NO. 1581-1
for Bear Butte Water Users Association
June 21, 1993

Application No. 1581-1 proposes to appropriate 0.10 cfs (45 gpm) from one well approximately 840 feet deep located in the NW 1/4 NW 1/4 of section 19, T6N R6E in Meade County. The water is for rural water system use and livestock watering and will also be used to supply water to the campground at Bear Butte State Park.

AQUIFER - MINNELUSA FORMATION (MNLS), MADISON (MDSN)

The Minnelusa Formation consists of interbedded sand, sandstone, dolomitic limestone and lesser amounts of shale with the sandstones of the upper part of the formation generally being considered the aquifer (Peter, 1987). The Minnelusa Formation is approximately 400 to 500 feet thick in this area (Allen, 1984). The Minnelusa is confined and under artesian conditions at this site. The Minnelusa underlies 2.172 million acres and contains an estimated 81.48 million acre feet of recoverable water in storage in Meade County (Allen, 1984). The aquifer is areally extensive into Butte and Lawrence Counties to the north and west and into Pennington County to the south. The Minnelusa directly and unconformably overlies the Madison Formation which is also considered an aquifer in the Black Hills area. Ground water movement is from south to north and west to east in this area.

The Madison Formation directly underlies the Minnelusa. The Madison underlies 2.2 million acres and contains an estimated 83 million acre feet of recoverable water in storage in Meade County (Allen, 1984). The aquifer is confined and under artesian conditions at this site. The Madison is also areally extensive and under the same area as the Minnelusa. There may be hydraulic communication between the two formations but generally the water levels are different, especially between the upper Minnelusa and the Madison. If a Madison well is constructed the Minnelusa must be isolated by grouting from Madison.

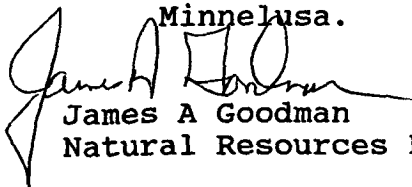
The Division of Water Rights monitors an observation well (LA-86A) completed into the Minnelusa Formation located about 6 miles southwest of this application. Also there are two Madison Formation wells (MD-86A and LA-90A) located about 6 and 7 miles southwest of this application. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, water levels have declined in both the Madison and Minnelusa Formation wells since installed. The Minnelusa observation well has declined about 40 feet since 1986. The two Madison wells have also declined during this same time period but have shown good recovery as a result of this years wet spring. The water level record indicates that the aquifer is capable of sustaining additional withdrawals but the fact that water levels have been declining is cause for concern (Water Rights, 1993).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights from the Minnelusa Formation in this area. The nearest existing water permit/right is over 5 miles to the west. Interference is not a concern. Even though the aquifer is under artesian conditions this is a relatively small diversion and will not adversely affect other users from the Minnelusa or Madison Formations.

CONCLUSIONS

1. Water is available from the Minnelusa or Madison Formations.
2. The aquifer is confined and under artesian conditions. Interference is not expected to be a concern. There are no other water permit/right users from the Minnelusa or Madison Formations in this area.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. This well may flow at the land surface. This well must be controlled in order to prevent the waste of water. Because of the nature of the rocks and the history of this site, the driller of this well will need to be prepared for the possibility of lost circulation and large volume of flow either above or below the land surface.
5. There has been a history of flowing well problems in this area. The Division of Water Rights plugged two wells in this immediate area at a cost of about \$41,300 (a report on plugging operations for Bear Butte wells is available at the Water Rights Office in Pierre). These wells were owned by Game Fish and Parks and one had broken out subsurface and was flowing into a tributary of Spring Creek just to the west of this site. The plugging was successful at least the flow in the creek has stopped. In fact, the reason this application is filed is to provide water for the downstream ranchers who had depended on the flow from the wells into the creek.
6. The application states this well will be 840 feet deep. According to the information available this depth may be close to the top of the Madison Formation. However, so much water was encountered in the Minnelusa at higher levels in those old wells that it seems unlikely that drilling would continue into the Madison. Also one of the old wells for Game Fish and Parks was drilled through the Madison Formation and did not encounter any more water below the Minnelusa.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Allen, J.C., D.L.Iles, 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 Northern Black Hills, South Dakota and Wyoming, and Bear Lodge Mountains, Wyoming, USGS WRI 86-4158, USGS, Rapid City, SD, 57701.

Water Rights, 1993, Unpublished Observation Well Records for Madison and Minnelusa Formations in the Black Hills, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1581-1, Bear Butte Water Association

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. 1581-1, Bear Butte Water Association, c/o Myron Hurlburt, HC 77 Box 92, Sturgis, SD 57785.

The Chief Engineer is recommending APPROVAL of Application No. 1581-1 for a 20-year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) although evidence is not available to justify issuing this permit without a 20-year term limitation, there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use, and 4) in the public interest with the following qualifications:

1. Approval of Permit No. 1581-1 does not authorize completion of a well into both the Minnelusa and Madison Formations.
2. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1581-1 is issued for a twenty year term. Pursuant to SDCL 46-2A-21, the twenty year term may be deleted at any time during the twenty year period or following its expiration. If the twenty year term is not deleted at the end of the term, the Permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 1581-1 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1, and Board Rule ARSD 74:02:01:37.
3. The well authorized by Permit No. 1581-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the top of the Madison Formation to the surface pursuant to Section 74:02:04:28.
4. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

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

See report on application for additional information.


JOHN HATCH, Chief Engineer
July 8, 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.

July 13, 1993

Myron Hurlburt
Bear Butte Water Association
HC 77 Box 92
Sturgis, SD 57785

Dear Mr. Hurlburt:

Water Permit Application No. 1581-1 for rural water system 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
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

July 13, 1993

Meade Co. Times-Tribune
Box 69
Sturgis, SD 57785

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1581-1 to be published twice. Please publish the first notice on July 21, 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 Bear Butte Water Association, HC 77 Box 92, Sturgis, SD 57785 (Ph # 347-4428 or 347-5269).

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 July 21, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1581-1 to Appropriate Water

Notice is given that Bear Butte Water Association, HC 77 Box 92, Sturgis, SD 57785 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second (45 gallons per minute) from one well (Madison Formation) approximately 840 feet deep located in the NW 1/4 NW 1/4 Section 19-T6N-R6E. Water is for rural water system use and livestock watering purposes and will also be used to supply water to the campground at Bear Butte State Park.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1581-1 for a 20-year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) although evidence is not available to justify issuing this permit without a 20-year term limitation, there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest.

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 August 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 Water Management Board will consider this application at 9:00 a.m., September 2, 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 September 2, 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 August 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 August 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.

August 13, 1993



Jim Goodman
DENR, Division of Water Rights
Joe Foss Building
523 E Capital
Pierre, SD 57501

Dear Mr. Goodman:

The Bear Butte Water Association is requesting permission to drill a test well in the NW of section 19-6-6. The well will be drilled in accordance with the State's well restrictions.

If you have any questions, please contact me at 347-4203 or 347-4428. Thank you.

Sincerely,

Mick Hurlburt
Bear Butte Water Association
HC 77 Box 92
Sturgis, SD 57785



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 14, 1993

Darryl Wright, Executive Director
Mni Sose Inter-Tribal Water Rights Coalition
PO Box 226
Rapid City, SD 57709-0226

Dear Darryl:

You mentioned last week your concern with the proposed well and rural water system near Bear Butte. We have tried to give personal notice to Tribal Governments of water permit applications that may be of interest and to advertise the notice in the Lakota Times. However, the notice for the Bear Butte Water Association was only published in the Meade County Times-Tribune in Sturgis.

In the future, we will plan to give the Mni Sose Coalition notice of any application in the Bear Butte area. If there are other sensitive areas outside of South Dakota Reservations, we would like to know about them. Any applications in these areas could also be advertised in the Lakota Times.

I have enclosed for your information a copy of the report and the water permit for the Bear Butte Water Association. Since the permit is only for 45 gallons per minute, we do not believe the well will adversely affect any Bear Butte springs. This permit is for a Madison Formation well. State law requires that Madison Formation water permits in the Black Hills area be issued for a 20-year term, unless there is sufficient information to justify issuance of a permanent permit.

Please let me know, if I may answer any questions.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

Enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 15 1993

Myron Hurlburt
Bear Butte Water Association
HC 77 Box 92
Sturgis, SD 57785

Dear Mr. Hurlburt:

Enclosed is Water Permit No. 1581-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

1. Due to the geology at the location of the proposed well, the well driller will need to be prepared for the possibility of lost circulation and large volume of flow either above or below land surface.
2. If the proposed well is completed into the Minnelusa Formation rather than the Madison Formation, an application to change sources of water will need to be filed. A Minnelusa well will not require the 20-year term limitation which is required for a Madison well.

WILLIE KINDLE
President

NORMAN WILSON
Vice-President

Rosebud Sioux Tribe

ROSEBUD INDIAN RESERVATION
ROSEBUD, SOUTH DAKOTA 57570

P.O. BOX 430
Phone 605-747-2381 — Fax 605-747-2243

CYNTHIA L. GARY
Treasurer

GERRI GORDON
Secretary

TODD BEARSHIELD
Sergeant-at-Arms

May 31, 1994

John Hatch, Chief Engineer
Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181



re: Proposed Pipeline Bear Butte

In reviewing the application submitted by Bear Butte Water User's Association their statement is they have to haul water during times of drought. A pipeline would solve this problem. Your letter of May 2, 1994 to Woody Corbine states, "The water permit for the Bear Butte Water User's Association has been issued by the division. Notice of the application was published in a local newspaper prior to permit being issued. Since the project is permitted, pursuit of a suspension or delay is now outside the scope of the permitting process. Any other avenue to seek a delay is up to the interested parties to pursue." I will also make reference to your June 21, 1993 Report on Application No. 1581-1 for Bear Butte Water User's Association.

Our intent is to have the proposed water pipeline suspended until adequate studies can be conducted preferably by the Tribes. The adverse affects to spiritual and ceremonial use of Bear Butte by native people has not been addressed.

I am also requesting a copy of the report on plugging operations for the Bear Butte wells. This action appears to have created the initial problem of water shortage for livestock to ranchers.

Although you are not authorized to suspend a water permit, as you stated, you may update us as to why the Division of Water Rights had to plug the two wells and whether your department considered an alternative source of water during this operation or was the water shortage to area ranchers even discussed or considered?

Your prompt consideration in providing a copy of the above mentioned report will be fully appreciated. I am also attaching a report from our tribal hydrologist.

Sincerely,

William Kindle, President
Rosebud Sioux Tribe

attachment

APPLICATION NO. 1581-1
BEAR BUTTE WATER USERS ASSOCIATION

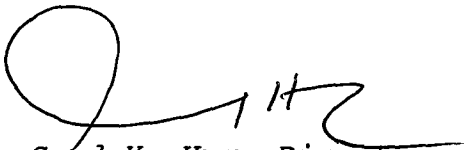
The above application was implemented to drill a well approximately 840 feet deep into the Minnelusa Formation adjacent to the Bear Butte in Meade County.

From information available, it is quite clear that the water level in an observation well 6 miles from this permit, drilled into the Minnelusa Formation, is falling with time. From records it indicates that the water levels in the observation well fell by 40 feet in the last seven years. It is therefore a proven fact that the water level is declining in the Minnelusa aquifer around the Bear Butte.

The well that has been completed by the Bear Butte Water Users Association has the capability to produce over 42 acre-feet per year. This amount however small can only aggravate the already falling water levels in the Minnelusa aquifer. Keep in mind that although the depth of the well under the above permit is a fairly deep one, the aquifer that is dealt with is a confined one and the potentiometric surface may be free flowing at many sites.

There may not be any other water permits/rights within 5 miles from the above mentioned permit 1581-1, but it does not prohibit any in future.

The permit 1581-1 must not be viewed as just any other permit. It is not only interference and adverse impact to other users from the Minnelusa aquifer that needs to be carefully weighed, it is much more that what impact it can have on the Bear Butte ecology. The Bear Butte is a sacred-religious Butte to the Native Americans and it's ecology is part and parcel of the sacredness that must not be disturbed at any cost. The lowering of the water levels in the Minnelusa aquifer underneath and around the Bear Butte has tremendous potential to disturb the ecology of the Bear Butte.



Syed Y. Huq, Director
Water Resources



June 17, 1994

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

William Kindle, President
Rosebud Sioux Tribe
P.O. Box 430
Rosebud, SD 57570

Dear Mr. Kindle:

I am writing in response to your May 31, 1994, letter concerning the Bear Butte Water User's Association water permit. Enclosed is a copy of the plugging report which provides details of the actual plugging operations.

There were two wells in Section 19, T6N, R6E. The oldest well was drilled by the Bear Butte Oil Development Company in 1921-1922. The oil test was not successful, but the well reportedly flowed 2080 gallons per minute (gpm). The state of South Dakota purchased the well in 1937. In 1937-1938, a Works Progress Administration project constructed a pipeline from the well to supply water to Bear Butte Lake. By 1950, surface flows from the well had decreased to less than 200 gpm. The well was recased and the flow was increased to 700 gpm. In 1956, easements were secured and a second well was drilled by the South Dakota Department of Game, Fish and Parks and connected to the pipeline. This well originally flowed approximately 206 gpm.

Records indicate that about June 1, 1974, surface flow from the oldest well ceased. However, flow from the old well had surfaced as a "spring" approximately 800 feet west of the well in a small tributary draw to Spring Creek. Approximately three fourths of the flow of Spring Creek was coming from the "spring" on December 17, 1974. By 1975, flow from the "spring" was reported at 515 gpm. Surface flow at the well constructed in 1956 decreased probably as a result of decreasing head pressure caused by the uncontrolled flow of the old well. Surface flow from the second well was reported to be approximately 45 gpm in July 1974, and 3.7 gpm by 1981. Flow at the end of pipeline ceased by February of 1981.

The Department of Game Fish and Parks and local sportsman's groups have always had an interest in maintaining the water levels in Bear Butte Lake. Several plans and ideas have been discussed or implemented. One idea was to supplement the lake levels with water from the overflow of the Fort Meade Water Supply Reservoir and during hearings on that application, Water Permit No. 1281-2, the Water Management Board qualified that permit, ordering that the two wells be plugged. The wells were plugged during the May 12 through May 17, 1987, time period. State law 46-7-3 requires that the owner, in this case the State of South Dakota, keep wells in good repair at all times in order to prevent the waste of water. These wells were determined to be abandoned and were not being used for the purposed intended. Also, the condition of the old well was such that repair work did not appear to be an option. The amount of water flowing from the "spring" was measured at a little over 1000 gpm in August of 1987. After plugging of the wells, flow from the "spring" diminished to about 20 gpm in November of 1987. The plugging

William Kindle, President
Rosebud Sioux Tribe
June 17, 1994
Page 2

was determined to be successful.

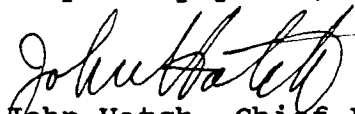
The "spring" was providing water to downstream ranchers and livestock. The amount of water was in excess of the amount of water needed. This large withdrawal of water from the Minnelusa Formation had occurred since 1922. The plugging operation stopped this waste of water and should be beneficial to area water supplies. The Butte Water User's Association Water Permit is for a small amount of water (45 gpm) and results in significant water conservation when compared to the original uncontrolled flow from the two plugged wells. Those original wells had been flowing freely for many years with no apparent adverse effect on the area water supplies. There is no indication that the Minnelusa or the Madison Formations are supplying any water to the small springs or shallow wells in the area of the Butte.

In closing, I would like to offer for your consideration the following:

- 1) One of the plugged wells flowed uncontrolled beginning in 1922 with no known harm to springs at Bear Butte.
- 2) The wells were plugged as required by State law to stop the uncontrolled waste of water from the Minnelusa Formation.
- 3) Any well owner is required to keep a well in good repair. If the 1922 well could have been repaired with new casing installed, the "spring" flow would have stopped and the water would have flowed through the pipeline to Bear Butte Lake. Since it was not feasible to repair the well, it was plugged with the same result, as if repaired, to stop the flow of the "spring".
- 4) The 45 gallons per minute authorized for the Bear Butte Water User's Association is very small when compared to the uncontrolled waste from the flowing well.
- 5) If the 1922 well did not harm the Bear Butte Springs, there is no reason to believe that the 45 gpm well will cause adverse affects to spiritual and ceremonial use of Bear Butte.

I can understand your concern with possible adverse affects to spiritual and ceremonial use of Bear Butte; however, I do not believe the 45 gpm well will have adverse affects. Thank you for taking the time to write about this important issue. Please let me know if you have other questions.

Very truly yours,


John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

enclosure

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 1581-1

I have this day, Aug 4, 2016 made a thorough examination of the water use system constructed by Bear Butte Water Association of Permit No. 1581-1, bearing the priority of 5/26/1993 authorizing the diversion of 0.1 cu. ft. per second of the water from one well for commercial and domestic purposes, in Meade County.

Inspection contact & relationship to permit holder, if applicable:

Todd Hanson, President

511 Merry Road, Pierre SD 57501

605-280-5825

John Bruch, Secretary/Treasurer

605-347-5269

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Cimarron Drilling (1993)
- 2) No. of Wells 1
- 3) Depth(s) 900 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 7" 0 - 410 ft., 5" 370 - 810 ft.
- 2) Length 810 feet
- 3) Type steel

Screen:

- 1) Type n/a
- 2) Length - feet
- 3) Static water level 22 feet

Pump:

- 1) Make Grundfos
- 2) Model 25SO7-5
- 3) Size 4"
- 4) Capacity 25 GPM
- 5) Horsepower rating 3/4 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 11,000 gallon concrete storage reservoir. From the reservoir the system gravity feeds to seven water users including Bear Butte State Park, Northern Cheyenne Tribe, Rosebud Sioux Tribe and private ranches.

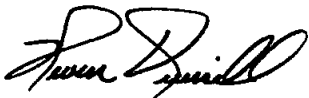
D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by: Yes, well was grouted from top of Madison formation to ground surface.
- 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:
346' E and 297' S of the NW corner Section 19 T6N R6E (44.473529, -103.446435)
2. The works are capable of diverting and conveying to the place of use .06 cu. ft. per second (25 gpm) of water which is to be used for **commercial and domestic** use and the license should be issued for .06 cfs.
3. All structures, wells and lands on map: No, **Only well and storage tank locations shown.**

F. Comments or other permit(s) associated with the project: none



Steven Quissell
Water Rights Inspector
DENR, Water Rights Program

Date report completed: 8/10/2016

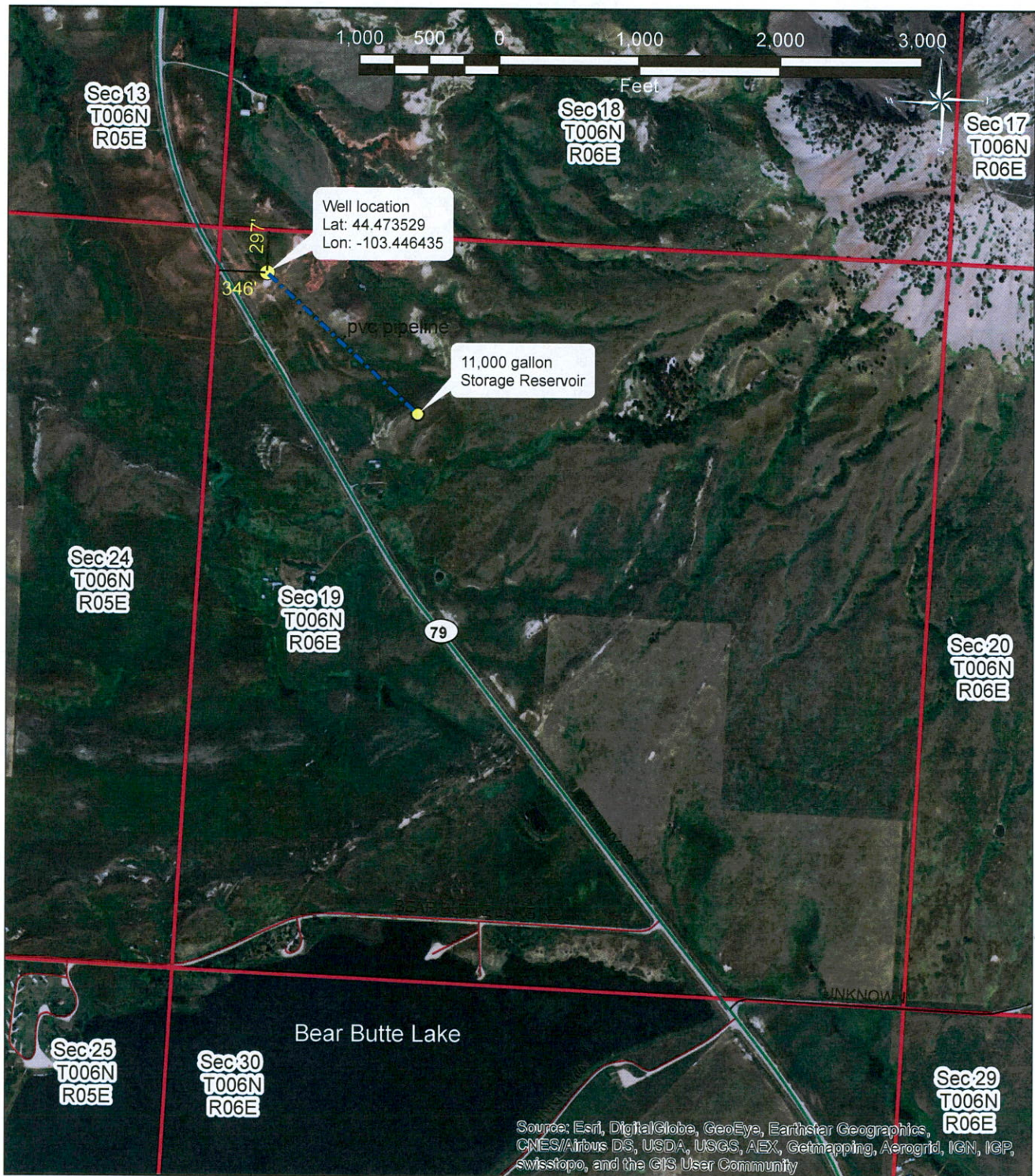


well and control panel



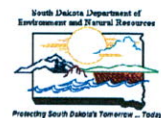
storage reservoir

Water Right #1581-1
Bear Butte Water Assoc.
8/4/2016



Steven Quissell

Steven Quissell
Water Rights Inspector
DNR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

September 1, 2016

1581-1

Bear Butte Water Association
c/o Todd Hanson, President
511 Merry Rd
Pierre SD 57501

Dear Mr. Hanson:

On August 4, 2016 the investigation of the Bear Butte Water Association system, including the extent of application of water to beneficial use, as developed under Water Permit No. 1581-1, was completed by Steven Quissell, a staff engineer with our program. The 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".

A licensed water right will be similar to a property right that cannot 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 the water use system or payment of the fee, please contact me or Genny McMath with our program.

Sincerely,

Karen Schlaak
Water Rights Program
karen.schlaak@state.sd.us
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/6, 20 16

RECEIVED OF Todd J Hanson 511 Merry Rd Pierre SD 57501 (Bear Butte Water Assn.)

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>1581-1</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **07964**

By Jerome Goodman
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1581-1

(1) Bear Butte Water Association, c/o Todd Hanson, President, 511 Merry Rd, Pierre SD 57501 made Application No. 1581-1, May 26, 1993 for a water permit to divert 0.10 cubic feet of water per second from one well - Madison Aquifer, Meade County, South Dakota for rural water system, domestic and commercial purposes. Permit No. 1581-1, with a priority date of May 26, 1993 was approved September 2, 1993 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 2, 1998 and for the application to beneficial use of water on or before September 2, 2002.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 1581-1 is issued a license, bearing a priority date of March 26, 1993 to appropriate 0.06 cubic feet of water per second from one well - Madison Aquifer for rural water system, domestic and commercial purposes. Users of the system include Bear Butte State Park, Northern Cheyenne Tribe, Rosebud Sioux Tribe and private ranches.

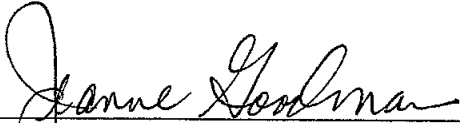
The diversion point is located: 346 feet E and 297 feet S of the NW corner of Section 19-T6N-R6E (NW 1/4 NW 1/4).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1581-1 including the following qualifications:

- Approval of Permit No. 1581-1 does not authorize completion of a well into both the Minnelusa and Madison Formations.
- In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1581-1 is issued for a twenty year term. Pursuant to SDCL 46-2A-21, the twenty year term may be deleted at any time during the twenty year period or following its expiration. If the twenty year term is not deleted at the end of the term, the Permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 1581-1 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1, and Board Rule ARSD 74:02:01:37.
- The well authorized by Permit No. 1581-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the top of the Madison Formation to the surface pursuant to Section 74:02:04:28. *The well was drilled by Cimarron Drilling September 24, 1993. A copy of the log is on file with the Water Rights Program.*
- The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

(continued)

- 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

SEP 12 2016

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 12 2016

1581-1

Bear Butte Water Association
c/o Todd Hanson, President
511 Merry Rd
Pierre SD 57501

Dear Mr. Hanson:

Enclosed is Water License No. 1581-1. This is the final water right document completing the process of obtaining a Water Right. Enclosed is the receipt for \$50.00 which you paid for the investigation and issuance of the Water License. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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. 1581-1, 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.

Sincerely,

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

enclosures