

WATER PERMIT NO. 1583-1

Phone: 642-7736

Name of Applicant: Will and Mary Ellen Lantis

Post Office Address: PO Box 699, Spearfish SD 57783

Amount of Water Claimed: 0.04 cfs - 18 gpm Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial use County: Lawrence

About 1 mile east of Spearfish

PRIORITY Date Received: 6-7-93 Fee: \$50 Remarks: _____

Corrected Application Received: 7-21-93 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: NE 1/4 NW 1/4 Sec 20-T6N-R3E

Land to be Irrigated: _____

		20			
		20			

Well Log: Driller: S Bice Drilling Co. Licensed YES X NO _____

Depth of Well: 902 feet REMARKS: _____

Type of Map: plat PREPARED BY: James D. Walker Reviewed and the Number

Assigned on: 7-22-93 By: Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT NO. 1583-1**

Date of first receipt of application June 7, 1993.

Date of return to applicant for corrections, amendments or changes June 8, 1993.

Date of receipt of corrected application July 21, 1993.

The Water Management Board approved Water Permit Application No. 1583-1 on December 1, 1993 for Will and Mary Ellen Lantis, PO Box 699, Spearfish SD 57783 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. 1583-1 appropriates 0.04 cubic feet of water per second (18 gallons per minute) from one well (Madison Formation) 902 feet deep located in the NE 1/4 NW 1/4 Section 20-T6N-R3E.
2. The water appropriated shall be used for the purpose of supplying water for an office and may not exceed the amount of water needed for beneficial use for commercial purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is June 7, 1993.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1583-1 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. 1583-1 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.
2. 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

FEB 1 1994
date

(type or print)

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

No. 1583-1 Hydrologic Unit 10120203
Basin Belle Fourche River
Newspaper Queen City Mail, Box 7, Spearfish
(office use only)



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

Type of Application: XX 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 Will and Mary Ellen Lantis Phone 605-642-7736
Mailing Address P.O. Box 699 Spearfish, State SD 57783
(Street, RR, or Box) (City) (Zip Code)
2. Amount of water claimed .04 *CFS or 18 **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
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Located about 50 ft.
North of Office Tract D of the NE/4, NE/4, NW/4, Section 20 Township 6 North
Range 3 East County Lawrence
5. County or counties where water will be used Lawrence
6. Annual period during which water is to be used Yearly 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)

Well will service an office with three restrooms, two shower rooms and an outdoor sprinkler system.

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 Lawrence)^{ss}

I, Will Lantis, 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

Subscribed and sworn to before me this 2 day of June 19 93

Notary Public

RECEIPT

413797

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, June 8, 1993

RECEIVED OF Will or Mary Ellen Lantis, PO Box 699, Spearfish SD 57783

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

Fee for Application for Permit No. <u>1583-1</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 _____		

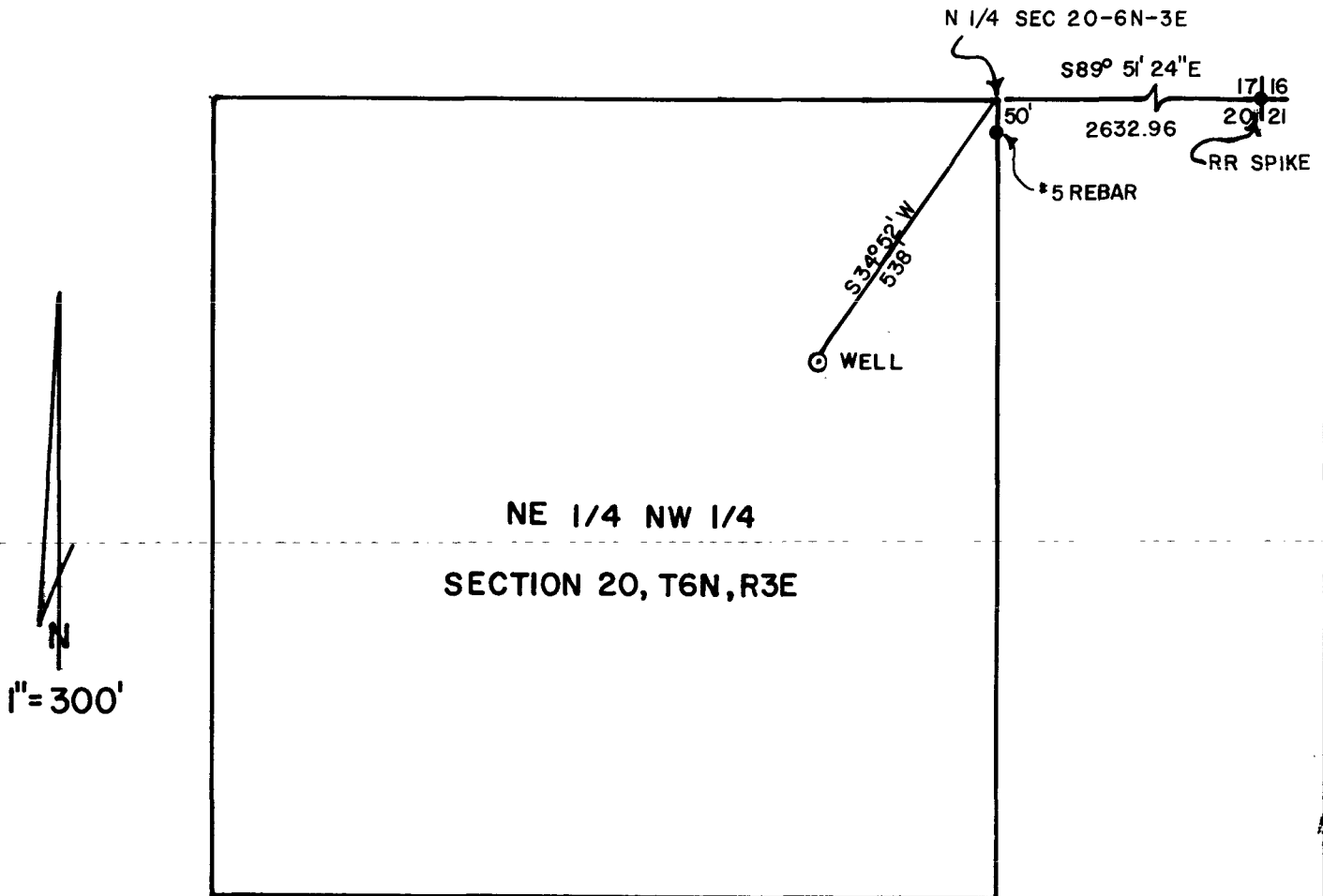
(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

John Hatfield 

MAP OF
LANTIS ENTERPRISES WELL LOCATION
IN THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 20, T6N, R3E, BHM
LAWRENCE COUNTY, SOUTH DAKOTA



I, JAMES D. WALKER, REGISTERED LAND SURVEYOR #3328 IN THE
STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WELL AS
SHOWN HEREON WAS LOCATED UNDER MY DIRECT SUPERVISION ON
JULY 1, 1993.

REGISTERED LAND SURVEYOR
REG. NO. 3328
JAMES D. WALKER
JAMES D. WALKER
WALKER
SOUTH DAKOTA
RLS #3328

JULY 2, 1993
DATE

1583-1

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6 3/4 Depth 902
- b) Casing Type Steel Diameter 5 1/2" O.D. Thickness .258
- c) Screen Type None Diameter _____ Thickness _____
- d) Gravel Pack Thickness None Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 860
- f) Depth to Water (ground surface to water level) 442
- g) Distance to nearest existing domestic well:
On applicants property 525 ft. or 175 yd. On property owned by others _____

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

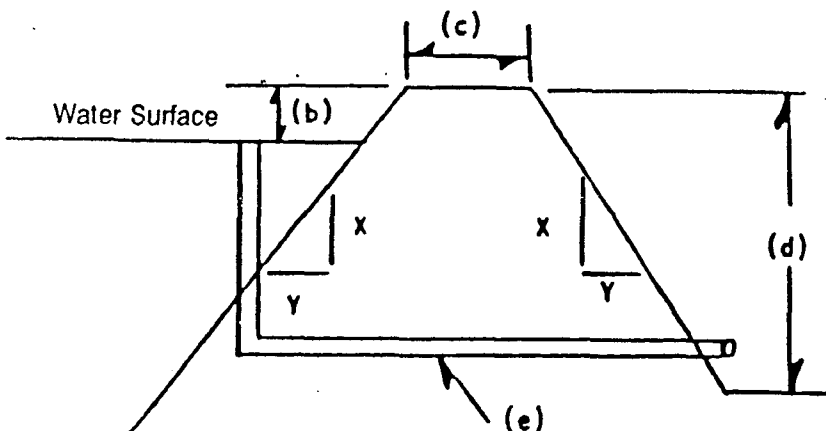
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

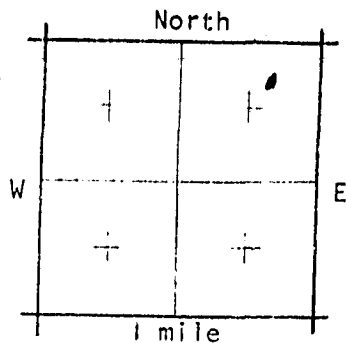
j) Drainage Area above Dam _____ Acres



STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location NE 1/4 Sec 19 Twp 6N Rg 3E BHM

County Lakota



Please mark well location with an "X"

Well Completion Date _____

PROPOSED USE:

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

Method of Drilling:

Rotary

WELL CONSTRUCTION:

Diameter of hole 7 7/8 inches Depth 80 feet

Casing: ☒ Steel ☐ Plastic ☐ Other

Specify SURFACE

Pipe Weight Diameter From To
10.5 lb/ft 7 inches 0 feet 80 feet
10.5 lb/ft 4 1/2 inches 0 feet 180 feet

Was a well screen used? ☐ Yes ☒ No

If Not Specify Open Hole 680-740

Screen Type _____ Slot Size _____

Length _____ Diameter _____

Was Casing left open end? ☒ Yes ☐ No

Was a Packer or seal used? ☐ Yes ☒ No

If so what material? PRESSURE GROUTED

Was well gravel packed? ☐ Yes ☒ No

Was well grouted? ☒ Yes ☐ No

Describe grouting procedure 30 SACS PUMPED

THROUGH AND OUT BOTTOM OF CASING

To what depth? 680 Feet

What was grouting material? DAKOTATITE II

If cement, how many sacks? 30 SACS

Location of packer(s) and screen or perforated pipe _____

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No
If so how and with what material?

Well Owner:

Name PAT McLAUGHLIN

Address SPEARFISH S.D.

Well Log:

Depth

Formation	From	To
GRAVEL-BOULDERS	0	80
LOST CIRCULATION		
FROM 80-680. No	80	680
SAMPLES CAME TO SURFACE.		
WHITE-TAN LIMESTONE	680	
3 1/4 open hole	680	740
Madison		

STATIC WATER LEVEL 440 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? ☒ Yes ☐ No

WELL TEST DATA:

☐ Pumped

☐ Bailed

☐ Other

Describe: _____

Pumping Level Below Land Surface

610 ft. After 96 Hrs. pumped 9 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

Remarks:

610 1/4 GALV PIPE 35 sec 591

acid d r e 490 gal.

This well was drilled under license # 321

and this report is true and accurate.

GRAF DRILLING
Drilling Firm

L. R. Brown
Signed by

Date _____

Pat sent to Graf Drill.
my would give to
McLaughlin - 7-9-81



May 28, 1993

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Will Lantis
Lantis Enterprises
P.O. Box 699
Spearfish SD 57783

Dear Mr. Lantis:

A well driller's report filed by S. Bice Drilling shows that they completed a new well for you. Based on the information in the report, you may need a permit to appropriate water for use in your business.

1. A water permit must be obtained for any water use except for reasonable, private domestic use. Examples of commercial use that require permits for private water supplies are: truckstops; motels; restaurants; bars; clubs; tourist attractions; campgrounds and any other business operation. 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.
2. As a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Please complete and return the enclosed application forms, with the required fee, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by June 16, 1993. You may contact Barry McLaury at 605-773-3352 if you don't believe your water use requires a permit or if you need assistance.

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

June 8, 1993

Will and Mary Ellen Lantis
PO Box 699
Spearfish SD 57783

Dear Mr. & Mrs. Lantis:

In regard to your water permit application received on June 7, 1993, the following information needs to be submitted and/or clarified in order to process your application.

1. A map showing the location of the diversion point (place where the well is located) in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).
2. Please specify the type of wastewater disposal system that is utilized (ie.septic tank, drainfield). Also, specify the capacity of the system and the approximate year of construction.

Your application states the water will be used for an outdoor sprinkler system. We are assuming this system does not water more than one acre. If you are watering more than one acre, please let us know. Further information will then need to be submitted.

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



Post Office Box 699
Spearfish, SD 57783



605•642•7736
Fax: 605•642•8443

July 20, 1993

Karen Schlaak
Natural Resources Analyst
Dept. of Environment and Natural Resources
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181

RE: Water Permit Application

Dear Ms Schlaak:

As requested in your June 8 letter, I have enclosed a map showing the location of the diversion point in relation to a quarter corner.

In addition, you requested the type of water disposal system and year of construction. We have a 1,000 gallon septic tank with 400 square feet of drain field. This was constructed in 1977.

If you need additional information, please feel free to contact me at 642-7736. Thank you for your time and cooperation.

Sincerely,


Debbie Ring
Office Manager

Encl:

REPORT ON APPLICATION NO. 1583-1
for Will and Mary Ellen Lantis
September 13, 1993

Application No. 1583-1 proposes to appropriate 0.04 cfs (18 gpm) from one well approximately 902 feet deep located in the NE 1/4 NW 1/4 of section 20, T6N R3E in Lawrence County. The water is for commercial use in an office.

AQUIFER - MADISON FORMATION (MDSN)

The Madison Formation is a massive limestone and dolomite approximately 500 feet thick in this area (Peter, 1987). The Madison is an aquifer where fractures or solution features have increased the permeability of the limestone and dolomite beds. The Madison underlies 314,880 acres and contains an estimated 9.45 million acre feet of recoverable water in storage in Lawrence County alone (Allen, 1984). The aquifer is confined at this location and under artesian conditions. The driller's log filed with this application indicates the top of the Madison was encountered at a depth of 860 feet below land surface and the well was completed to a depth of 902 feet. The well reportedly produced 75 gpm using air to develop and had a static water level of 442 feet below land surface.

The Madison is areally extensive around the entire Black Hills and mostly hydraulically connected. Also the overlying Minnelusa Formation (also considered a major aquifer) is potentially hydraulically connected to the Madison in the area where both outcrop (recharge area). Generally the water level information for the two aquifers indicate that the Madison will have a higher head (water level) than the Minnelusa indicating the potential for upward movement from the Madison to the Minnelusa. Also test drilling conducted by the Division of Water Rights indicates that a confining layer exists within the lower 1/3 of the Minnelusa which although may not completely inhibit water movement does effectively separate the two formations. In the recharge area, the overriding characteristic seems to be downward (vertical) movement and water levels for the two formations can be close to being the same.

The Division of Water Rights monitors an observation well LA-88C completed into the Madison and located about 3 miles west of this application. Water levels for this well show good response to climatic conditions and seasonal variations. Water levels rise during the spring and gradually decline the rest of the year, generally. A hydrograph for this well is included with this report. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1993).

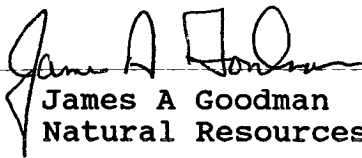
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing Water Rights Nos. 1229-1A and 1187-1A for

Madison wells located about 1 1/2 mile west and 1 1/2 mile northwest respectively from this application. Interference is not expected to be a concern. This is a relatively small diversion and will not be used continuously. The resulting drawdown created by pumping should not be significant.

CONCLUSIONS

1. Water is available from the Madison Formation.
2. The aquifer is confined and under artesian conditions at this site. Interference is not expected to be a concern because of the relatively small pumping rate and the distance between existing wells.
3. Wastewater is disposed of through a septic tank and drainfield.
4. The well is constructed in accordance with SD Well Construction Standards.
5. This is a Madison aquifer diversion. According to SDCL 46-2A-20 this application must contain a 20 year term limitation unless information is presented that will show this diversion will not adversely effect the water supply from the Madison Formation.



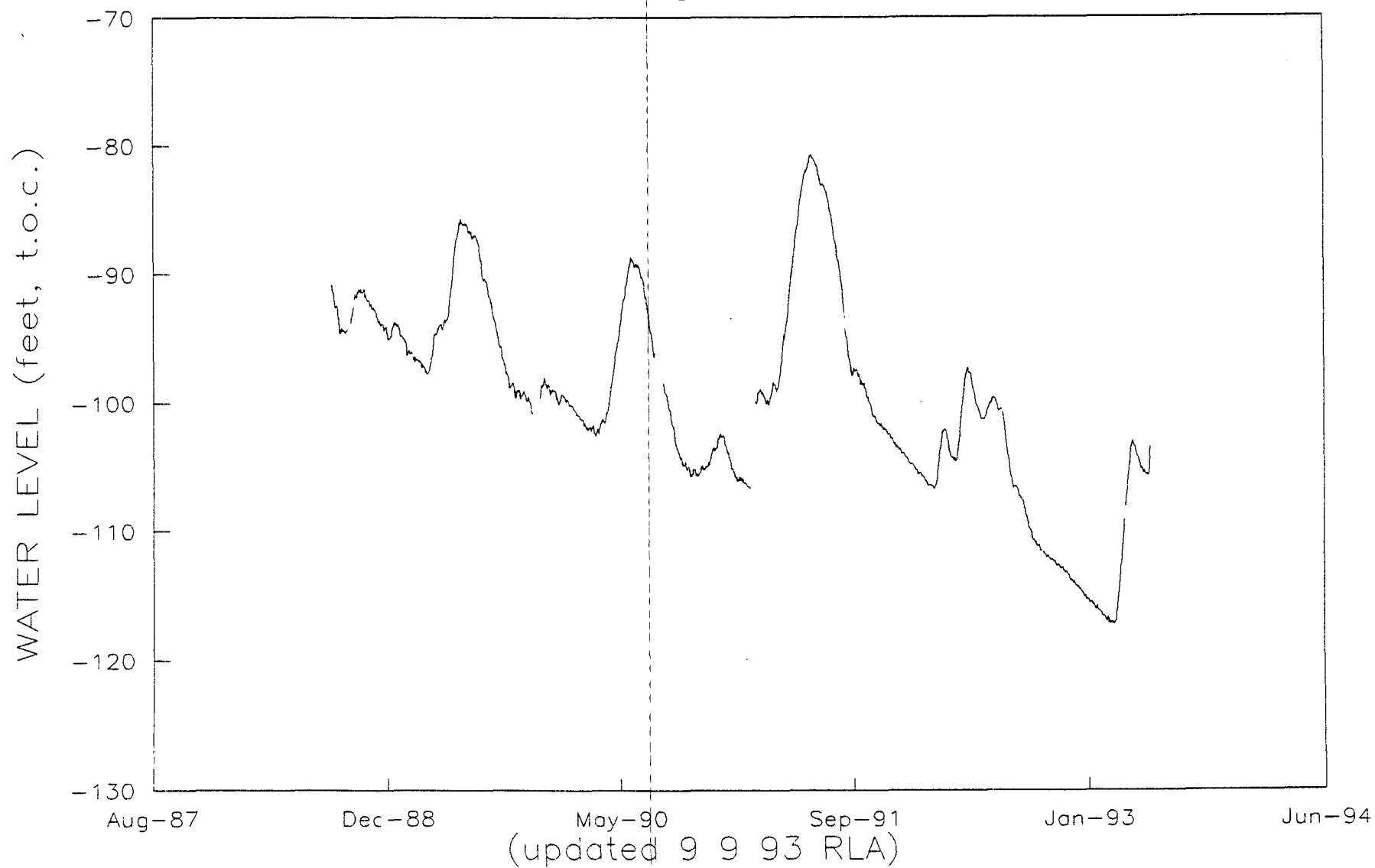
James A Goodman
Natural Resources Engineer

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 the 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 Data for Lawrence County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

WATER RIGHTS OBSERVATION WELL

LA-88C



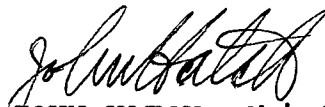
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1583-1, Will and Mary Ellen Lantis

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. 1583-1, Will and Mary Ellen Lantis, Po Box 699, Spearfish, SD 57783.

The Chief Engineer is recommending APPROVAL of Application No. 1583-1 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) it is in the public interest with the following qualifications:

1. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1583-1 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. 1583-1 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.
2. 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
September 14, 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.

September 28, 1993

Will and Mary Ellen Lantis
PO Box 699
Spearfish, SD 57783

Dear Mr. & Mrs. Lantis:

Water Permit Application No. 1583-1 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Queen City Mail printed at Spearfish, SD (Ph # 642-2761). 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

September 28, 1993

Queen City Mail
Box 7
Spearfish, SD 57783

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1583-1 to be published twice. Please publish the first notice on October 7, 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 Will and Mary Ellen Lantis, Po Box 699, Spearfish, SD 57783 (Ph # 642-7736).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. ~~Publication errors can invalidate the public notice and cause the applicant costly delays.~~

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of
Hearing to Appropriate Water by Application No. _____ which was first
published in our issue of _____. ENCLOSED IS A COPY OF THIS
FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on October 7, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1583-1 to Appropriate Water

Notice is given that Will and Mary Ellen Lantis, PO Box 699, Spearfish, SD 57783 has filed an application for a water permit to appropriate 0.040 cubic feet of water per second (18 gallons per minute) from one well (Madison Formation) 902 feet deep located in the NE 1/4 NW 1/4 Section 20-T6N-R3E. The water is for commercial use in an office.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1583-1 because 1) although evidence is not available to justify issuing this permit without a 20-year 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) 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 November 19, 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 10:00 a.m., December 1, 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 December 1, 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 November 19, 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 November 19, 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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Lawrence) ss



I, Laurie Hardin

certify that the attached printed Notice was

taken from the Dept of Environment
& Natural Resources

printed and published in _____

County of Lawrence and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

10-7-93

10-14-93

Cost of Printing: \$58.43

Laurie Hardin
(Signature)

Accounts Receivable
(Title)

10-14-93

(Date Signed)

NOTICE OF HEARING

ON APPLICATION NO. 1583-1
TO APPROPRIATE WATER

NOTICE IS GIVEN that Will and Mary Ellen Lantis, PO Box 699, Spearfish, SD 57783 has filed an application for a water permit to appropriate 0.040 cubic feet of water per second (18 gallons per minute) from one well (Madison Formation) 902 feet deep located in the NE 1/4 NW 1/4 Section 20-T6N-R3E. The water is for commercial use in an office.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1583-1 because 1) although evidence is not available to justify issuing this permit without a 20-year 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) 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 November 19, 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 10:00 a.m., December 1, 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 December 1, 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 November 19, 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 November 19, 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.

109

#122
October 7, 14



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 8, 1993

Hazel McLaughlin
P.O. Box 451
Spearfish, SD 57783

Dear Ms. McLaughlin:

As per our phone conversation, please find enclosed a copy of the report and recommendation for Water Permit Application No. 1583-1, Will and Mary Ellen Lantis. After reviewing the information if you have questions regarding groundwater in your area, feel free to contact Jim Goodman at 773-3352. Mr. Goodman wrote the report on this application. Any questions related to the administrative procedures on filing a petition of opposition or the Board hearing can be direct to me.

~~A petition of opposition must be filed with this office and the applicant by November 19, 1993. A hearing on this application has been scheduled for 10:00 am on December 1, 1993 in the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Ave., Pierre, SD 57501.~~

Please feel free to contact me if I may be of further assistance.

Sincerely,

Eric Gronlund

Eric Gronlund
Water Rights Division
605 773-3352

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Joe Graf

ADDRESS: RR1 Box 642, Belle Fourche, SD COUNTY: Butte

DATE: November 8, 1993 TELEPHONE: (605)892-2314

RE: Hazel McLaughlin Well

COMMENTS:

I called Mr. Joe Graf to find out what he knew about this well. Graf Drilling Co. worked on this well this summer but Leroy Brown did the work. Mr. Graf will have Leroy call me with a report of this summer's work. Joe did say that the well was cased with 4" casing and the pump was set about as low as it can get. He said the pump was a 34 or 35 stage pump. Graf stated that the water turned a little orange this summer and it never really cleared up. Graf claimed that the well problems were about the same time as the Lantis well was completed, and two other wells in the area had pump problems too Fisher Sand and Gravel, and a trailer park.



Ken Buhler
Natural Resources Engineer

Conversation or File Documentation

NAME OF PERSON OR FILE: HAZEL McLAUGHLIN, SPGARFISHADDRESS: _____ COUNTY LAWRENCEDATE: 8 NOV 93 TELEPHONE 642-7157RE: CONCERNED ABOUT HOR WCU, HAD PROBLEMS THIS SUMMER -

COMMENTS:

T6N R3E - SEC 20

SHE IS CONCERNED ABOUT HOR WCU - 740' DEEP - JOE GRAP
DRILLED IT 10 YEARS AGO - JOE WORKS ON IT THIS YEAR -
HAS ALWAYS HAD WATER UNTIL THIS YEAR - PUT IN A
NEW PUMP, PRESSURE TANK, WIRING (ALSO ACIDIZER?)
STILL GETTING MUDDY WATER -

SHE IS CONCERNED ABOUT WILL LAWIS PERMIT APPLICATION (1583-1)
IS HIS PUMPING THE PROBLEM - SHE SAID HOR WCU,
FISCHER'S, FISCHNER'S (2), ALL WERE HAVING TROUBLE THIS
SUMMER, SHE THINKS LAWIS WCU COULD BE CAUSING PROBLEMS -
APPARENTLY, SHE HAD ALREADY TALKED TO ERIC, HE HAD SOFT REPORTS, ETC.
SHE WANTS A GOOD WCU ON THE PLACE IN CASE SHE NEEDS
TO SEE IN THE FUTURE - 22,000 GALLONS WCU, 10 YEARS AGO,

I TOLD HOR WE WOULD CHECK WITH JOE -

I ALSO TOLD HOR SHE COULD ATTEND HEARING OR SEND IN
A LETTER EXPRESSING HOR CONCERNS -

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: JAC.

Dec 11. 1993

Spearsfish Hill.

Dear Mr. Davidson.

From our conversation
over the phone, you had told
me to put down on paper
my concerns, in connection
with the Dupirell, a Bill
Lantic which was put into
operation early summer of
1995 although it was
drilled & complete in Dec
of 1992 or around that date.
Then his office was complete
and he put the well and
operation, almost immediately
there was 3 well drills
called in on 4 wells, all
of us almost in getting
distance & making other,
had well problems, according
to what I spent, (in the thousands)
I imagine the rest of them
were very costly also, I will

Wish to have the driller back
for more work in the
spring, which will be costly,
again, since he has turned
off his sprinkling system
plus my own, which I couldn't
use all that often because
I didn't have the water to do
so, I have had a real good
well & plenty of water for
10 years. I can't drink
my water, am buying it,
which I had never done
until now, and also have
just begun to be able to
run my washer and a
faucet at the same time.
Never have I had this kind
of water troubles, all of this
a coincidence I don't think
so.

Must inform you I put
in a new pump new wiring,
new pressure tank, 300 gal

of acid - 50 lbs soda & D
hooked 2 sections of pipe &
D for improvements. I'm an
elderly widower and this is
quite a burden.

I also must tell you I
contacted Mr. Lantis right
away, he informed me he had
all the tests done & there
was plenty of water for
everyone, and he waived
out of his right arm before
he would hurt me,

My troubles may be entirely
unfounded in regards to
the Lantis well, but I don't
think so.

Thank you for your time

Edw. P. Lygdon
Ole. Box 451

Spanish So. Lab.

57983



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 16, 1993

Will and Mary Ellen Lantis
P.O. Box 699
Spearfish, SD 57783

Dear Mr. and Mrs. Lantis:

Enclosed is a copy of a letter we received from Hazel McLaughlin regarding Water Permit Application No. 1583-1. This letter constitutes a petition and Mrs. McLaughlin will be considered a party of record to the hearing on your water permit application. In simple terms, this means that Mrs. McLaughlin will be entitled to present testimony at the hearing. If Mrs. McLaughlin chooses not to attend the hearing, a copy of her letter will be distributed to the Board members.

The hearing before the Water Management Board will be at 10:00 am on December 1, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Ave., Pierre, SD. A formal notice will be sent to Mrs. McLaughlin and you in the very near future.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Division
(605) 773-3352

enclosure

PARTIES OF RECORD
WATER PERMIT APPLICATION NO. 1583-1
WILL AND MARY ELLEN LANTIS

APPLICANT

Will and Mary Ellen Lantis
P.O. Box 699
Spearfish, SD 57783

OPPOSITION

Hazel McLaughlin
P.O. Box 451
Spearfish, SD 57783



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 19, 1993

NOTICE

TO: Will and Mary Ellen Lantis
P.O. Box 699
Spearfish, SD 57783
and Parties of Record (see attached list)

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

SUBJECT: Hearing for Water Permit Application No. 1583-1, Will and Mary Ellen Lantis

A petition has been filed by Hazel McLaughlin to Water Permit Application No. 1583-1. ~~This notice is intended to remind parties of the hearing before the Water Management Board.~~

The Water Management Board will consider Water Permit Application No. 1583-1 on December 1, 1993 at 10:00 am in the Conference Room, Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Ave., Pierre, SD 57501. The actual time of the hearing may be later than 10:00 am due to prior agenda items.

Applicable provisions of the Notice of Hearing published October 7 and 14, 1993 in the Black Hills Pioneer will apply at this hearing. This hearing is an adversary proceeding. Any party of record has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme court as provided by law.

Contact Eric Gronlund at 773-3352 if you have any questions regarding this hearing before the Water Management Board

c: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on November 19, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated November 19, 1993, regarding Hearing for Water Permit Application No. 1583-1, Will and Mary Ellen Lantis addressed as stated below:

Will and Mary Ellen Lantis, P.O. Box 699, Spearfish, SD 57783.

Hazel McLaughlin, P.O. Box 451, Spearfish, SD 57783.

Copy Sent Inter-office to:

Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 22nd day of November, 1993.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001

File No.

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Joe Graf

ADDRESS: RR1 Box 642, Belle Fourche, SD COUNTY: Butte

DATE: December 1, 1993 TELEPHONE: (605) 892-2314

RE: Hazel McLaughlin Well

COMMENTS:

Joe Graf called to relay information from LeRoy Brown, regarding the Hazel McLaughlin Well. Mr. Graf indicated that Mr. Brown had worked on the McLaughlin well back in August (Joe thought it was August anyway). The McLaughlin well was not providing an adequate amount of water at that time. Mr. Graf stated that the static water level of the well hadn't changed much but the water wasn't entering the well as fast as it used too. Graf Drilling acidized the well and pumped the well with air for several hours after acidizing. The pump was reinstalled in the well 63 feet deeper than it was before acidizing. The pump is now set at the bottom of the casing. Graf stated that the well "keeps up" now, however the water is discolored. Graf indicated that a red layer within the Madison Aquifer that was exposed to the well may be coloring the water and thought he would have to place a liner in the well to correct the problem. Graf speculated that grout from the Lantis well may have affected the McLaughlin well. Graf stated that he thought Ms. McLaughlin was under the impression that the Lantis well was to be used for irrigation with a diversion rate of 150 gpm. I informed Mr. Graf that the Lantis well was permitted for 18 gpm.



Ken Buhler
Natural Resources Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 3, 1993

Hazel McLaughlin
P.O. Box 451
Spearfish, SD 57783

Dear Mrs. McLaughlin:

On December 1, 1993, the Water Management Board heard the Water Permit Application 1583-1 for Will Lantis. I presented my report and gave the Board a copy of your letter. We discussed your well problems and if it could be related to the Lantis application. The Board recognized that any potential effect of an 18 gallons per minute diversion would not be significant and was probably not the cause of your well problems. The Lantis permit was approved for 18 gallons per minute from one well 902 feet deep for commercial use. This could include some lawn watering.

We have also been in contact with Joe Graf. He has indicated to us that your well is pumping discolored water even after they worked on it this summer. Joe thinks that clay from the Madison Formation is causing this problem. He also reported that he did not think the static water level in your well has changed much since the well was drilled, but that the water wasn't coming into the well like it used to. Apparently they set the pump about 63 feet deeper and the well is now able to "keep up", but the water is discolored. Joe indicated that he might have to install a liner in the well to correct the discoloring problem.

Again to reiterate, the water permit application for Lantis was approved for a diversion rate of 18 gallons per minute. I do not think that this diversion rate will adversely effect your well.

If I can be of further assistance or answer any questions, please feel free to contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 1 1994

Will and Mary Ellen Lantis
PO Box 699
Spearfish, SD 57783

Dear Mr. & Mrs. Lantis:

Enclosed is Water Permit No. 1583-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

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

enclosures

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date Nov. 18, 1996

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Will & Mary Ellen Lantis PO Box 699
(name) (address)

Spencer SD 57783 605-642-7736
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 18 GPM.

Water Permit No. 1583-1 states that the diversion system is to be constructed by

Feb 11/91, and that the water is put to beneficial use by
(date)

N/A
(date)

The diversion system was completed on July 1993
(date)

Applying the water to beneficial use was completed on same
(date)

You may schedule an inspection so that the Water License may be issued.

Ray Chace Field Supervisor
(signature)
Lantis Ent. Inc.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 1998

1583-1

Will and Mary Ellen Lantis
P.O. Box 699
Spearfish, SD 57783

Dear Mr. And Ms. Lantis:

The investigation of your water use system was conducted on November 18, 1996, by Ken Buhler, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1583-1. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

49 415677

Pierre, March 11, 19 98

RECEIVED OF Lantis Enterprises, Inc., P.O. Box 699, Spearfish, SD 57783
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>1583-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By _____
Chief Engineer

John Hatch (Signature)

Permit No. 1583-1
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, **November 18, 1996**, made a thorough examination of the water use system constructed by **Will and Mary Ellen Lantis** of **Spearfish, SD** holder of Permit No. **1583-1**, bearing the priority of **June 7, 1993** authorizing the diversion of **0.04** cu. ft. per second of the waters of **groundwater** for **commercial** purposes, in **Lawrence** County.

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

A. Works used to divert the water:

One well 902 feet deep, cased with 865 feet of 5-inch diameter steel casing, located in the SE¼NE¼NE¼NW¼ Sec.20, T6N-R3E, pumped with a five horsepower Meyers Pump, capable of producing 18 gallons per minute.

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

Water is transported to two 100 gallon pressure tanks through 65 feet of 1¼" diameter polyethylene pipe.

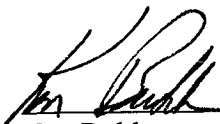
C. Works used to apply water to beneficial use:

From the pressure tanks the water is used in the office and the "Ice House" for drinking water and sanitary purposes and to irrigate less than 1 acre of lawn

The system is in the following condition **good**. The point of diversion is located **440 feet south and 307 feet east of the North Quarter Corner of Sec.20, T6N-R3E**. The works are capable of diverting and conveying to the place of use **0.04** cu. ft. per second of water which is to be used for **commercial use**. The license should be issued for **0.04** cfs.

Applicable permit qualifications have been complied with: **yes**

Exceptions to compliance are: **na**



Ken Buhler

2/10/93

Date

Natural Resources Engineer
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 1583-1

Other permit(s) associated with the project: n/a

NAME & ADDRESS OF INSPECTION CONTACT: Ray Ames
PO Box 699
Spearfish, SD 57783

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Field Supervisor

NAME & ADDRESS OF PERMIT HOLDER: Will and Mary Ellen Lantis

DATE OF INSPECTION: November 18, 1996

DIVERSION POINT LEGAL LOCATION: 441' south and 307' west of the North quarter corner of
Sec.20, T6N-R3E; (SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.20, T6N-R3E)

WELL INFORMATION:

- 1) Well Drilling Firm: S.Bice Drilling Company
- 2) No. of Wells one
- 3) Depth(s) 902 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 5 1/2 inches
- 2) Length 865 feet
- 3) Type steel

Screen:

- 1) Type: None- (open hole completion)
- 2) Length 37 feet of open hole
- 3) Static water level 442 feet

Pump:

- 1) Make Meyers Submersible
- 2) Size 5
- 3) Capacity 18 GPM

Motor:

- 1) Make Franklin

2) Horsepower rating 5 hp

DISTRIBUTION LINES OR CANALS:

- 1) 1) Type Polyethylene 2) Size 1½ inches 3) Length 1,200 feet
2) 1) Type Polyethylene 2) Size 1 inches 3) Length 1,000 feet
3) 1) Type Polyethylene 2) Size ¾ inches 3) Length 1,000 feet

SYSTEM SUMMARY:

Water is pumped from the well to two Well-x-Trol 100 gallons pressure tanks through approximately 65 feet of 1¼" diameter Polyethylene pipe. From the pressure tanks water is: 1) used in the office building for drinking water and sanitary purposes; 2) piped to the "Ice House" through approximately 300 feet of 1½" diameter Polyethylene pipe; or 3) is piped through approximately 1,000 feet of 1" diameter and 1,000 feet of ¾" diameter Polyethylene pipe to 72 sprinkler heads in 12 zones to irrigate less than one acre along the driveway and around the building.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
2) All structures, wells and lands on map yes

Creek

BM 3845

3806

Centennial

3880

3878

3880

17

BLACK HILLS
AIRPORT

K. A. Bull
NATURAL RESOURCES ENGINEER
WATER RIGHTS PROGRAM

3840

3920

x3896

3943

SEC 20, T6N-R3E

3899

Drive-in
Theater

300'
1.5" POLY PIPE
WELL

3920

Bottom

3920

4000

20

3941

4000

4000

4054

4012

1583

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1583-1

(1) Will and Mary Ellen Lantis, PO Box 699, Spearfish SD 57783 made Application No. 1583-1, June 7, 1993 for a water permit to divert 0.04 cubic feet of water per second from groundwater (one well), Lawrence County, South Dakota for commercial purposes. Permit No. 1583-1, with a priority date of June 7, 1993 was approved December 1, 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 0.04 cubic feet of water per second for beneficial use. The location of the diversion point is 440 feet south and 307 feet east of the north quarter corner of Section 20-T6N-R3E (NE 1/4 NW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in the office, "Ice House" and to irrigate less than 1 acre.

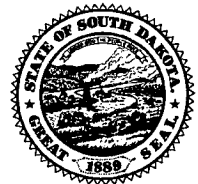
(4) Pursuant to South Dakota Water Law 46-5-30.1 Will and Mary Ellen Lantis, PO Box 699, Spearfish SD 57783 the holder and/or owner of Water Permit No. 1583-1 is issued a license to appropriate water, the right to use 0.04 cubic feet of water per second from groundwater (one well) with a priority date of June 7, 1993 from the location specified in (2) of this license for the purpose of commercial use. This license is subject to any limitations or qualifications listed in Water Permit No. 1583-1 and subject to South Dakota State Law.



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

APR 23 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

1583-1

Will and Mary Ellen Lantis
P.O. Box 699
Spearfish, SD 57783

Dear Mr. And Ms. Lantis:

Enclosed is Water License No. 1583-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415677 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1583-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures