

WATER PERMIT NO. 1648-1

Name of Applicant: Ron Island & P.L. Roberts

Address: PO Box 588, Deadwood SD

Phone: 578-2376

Amount of Water Claimed: 0.055 cfs (25 gpm)

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial use

County: Lawrence

Type of Waste Disposal System: septic tank

Location: north of Lead

PRIORITY Date Received: 3-18-97

Fee: \$50

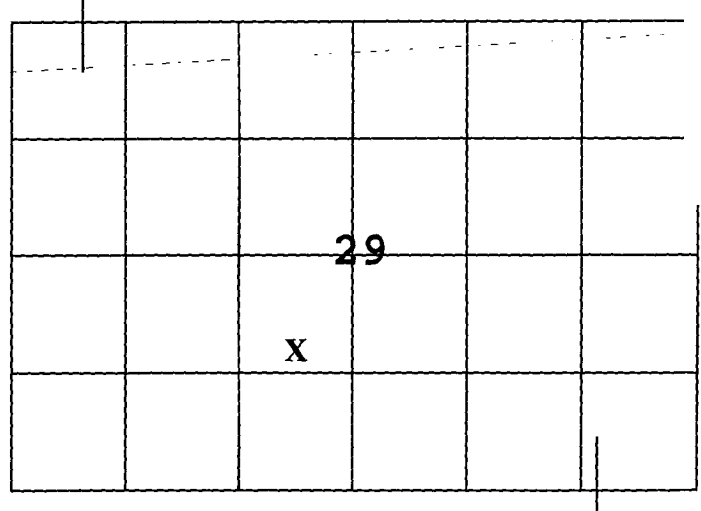
Corrected Application Received: 4-4-97

Period of Annual Use: Jan 1 - Dec 31

Remarks:

Diversion Point: NE 1/4 SW 1/4 Sec 29-T5N-
R3E

Land to be Irrigated: NA



Depth of Well: 103 feet

Well Driller: Alexander Drilling Inc.

Remarks:

Type of Map: plat

Prepared by: John M Arleth, RLS

Reviewed and the Number Assigned on: 4-4-97

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 1648-1**

Date of first receipt of application March 18, 1997.

Date of return to applicant for corrections, amendments or changes March 18, 1997.

Date of receipt of corrected application April 4, 1997.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1648-1 to Ron Island & P.L. Roberts, PO Box 588, Deadwood SD 57732 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

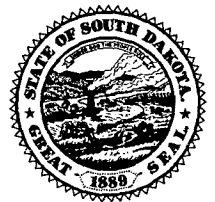
1. Water Permit No. 1648-1 appropriates 0.055 cubic feet of water per second (25 gallons per minute) from one well (Crystalline Rock) 103 feet deep located in the NE 1/4 SW 1/4 Section 29-T5N-R3E.
2. The water appropriated shall be used for the purpose of supplying water for commercial use and may not 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 of approval of Permit No. 1648-1 is June 5, 1997.
5. The date from which applicant may claim right is March 18, 1997.
6. One-fifth of the construction is to be completed on or before December 5, 1999.
7. All construction is to be completed on or before June 5, 2002.
8. Water is to be put to beneficial use on or before June 5, 2006.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

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

JUN 11 1997

date



FORM 2: Application for uses other than irrigation
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>16487</u> Hydrologic Unit <u>10/20202</u>
	Basin <u>Belle Fourche River</u>
	Newspaper <u>Black Hills Pioneer, Spearfish, SD</u>



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

Check use(s) of water:

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

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.) _____

- Name of Applicant Ron Island & P.L. Roberts Phone 578-2376
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address P.O. Box 588, Deadwood State SD 57732
(Street, RR, or Box) less than (Zip Code)
- Amount of water claimed 0.055 *CFS or 25 GPM **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply new well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well
NE 1/4 SW 1/4 Sec 29 T5N R3E
County Lawrence
- County or counties where water will be used Lawrence
- Annual period during which water is to be used year round Jan 1 - Dec 31
- 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 was drilled to furnish water for a
bathroom for a garage & wash personal cars, trucks etc.

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

STATE OF SOUTH DAKOTA)

County of Lawrence SS

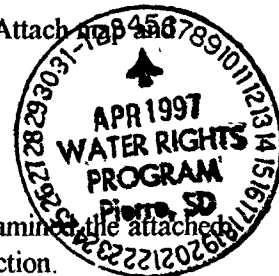
I, Ron Island, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed Ron Island

Subscribed and sworn to before me this 14th day of March 19 97

Ruthie Weiers
Notary Public

EXPIRES 10-13-2003



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6" Depth 103'
b) Casing Type STEEL Diameter 6" Thickness _____
c) Screen Type NONE Diameter _____ Thickness _____
d) Gravel Pack Thickness NONE Length of Gravel Pack _____
e) Depth to Top of Water Bearing Material _____
f) Depth to Water (ground surface to water level) 10'
g) Distance to nearest existing domestic well:

On applicants property N/A On property owned by others NONE IN AREA
ADJACENT TO LEAD CITY LIMITS + LEAD
WATER SYSTEM

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) SEPTIC TANK
b) System Capacity (gallons) 1000 c) Year Constructed 1996
d) Connected to the City of LC Sanitary System.

3. Dugout Information

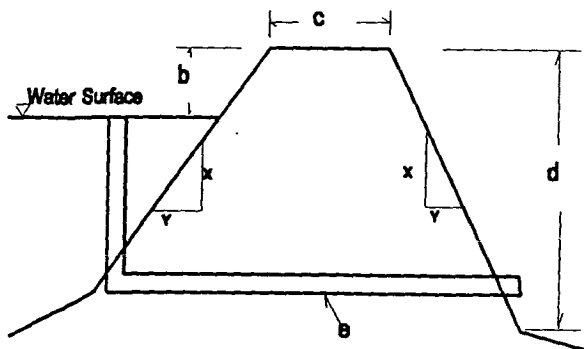
- a) Surface Dimensions _____ Depth _____
b) Depth to water (ground surface to water level) _____



4. 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

RECEIPT

Division of Water Rights

415276

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 18, 19 97

RECEIVED OF Ron Island & Pat Roberts, P.O. Box 588, Deadwood, SD 57732

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

Fee for Application for Permit No. <u>1648-1</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

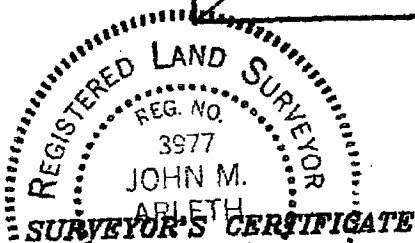
WELL LOCATION MAP
LOCATED IN SECTION 29, T5N R3E,
B.H.M., LAWRENCE COUNTY, SD

SECTION 29
T5N R3E, B.H.M.



WELL LOCATION

N 52°05'00" E
2610.00'



0' 1000' 2000' 3000'



JOHN M. ARLETH, R.L.S. 3977, DEADWOOD, SD, DO HEREBY CERTIFY
THAT THE WATER WELL LOCATION SHOWN HEREON WAS ESTABLISHED
UNDER MY SUPERVISION AND THAT THE DIMENSIONS SHOWN
ARE TRUE AND CORRECT. DATED THIS 27th DAY OF MARCH 1997.

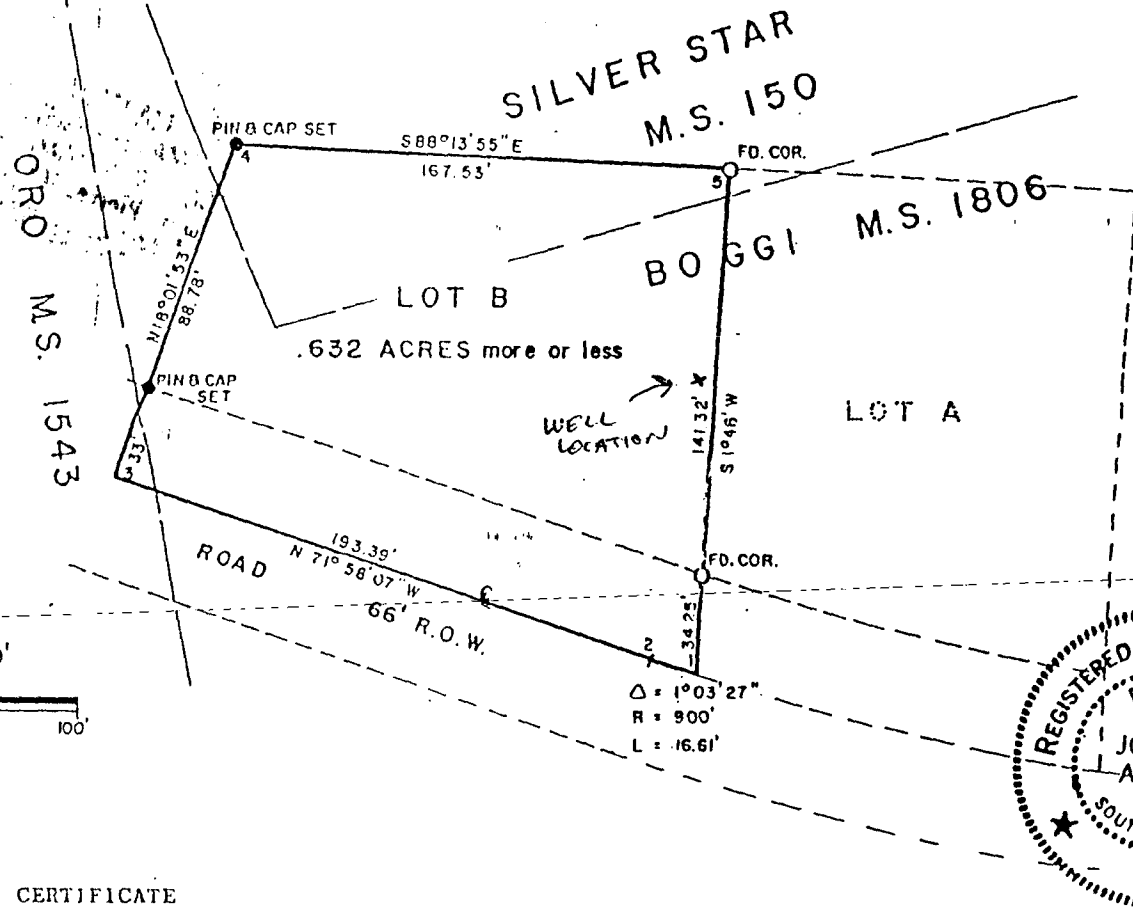
JOHN M. ARLETH, R.L.S. 3977

PREPARED BY: ARLETH & ASSOCIATES	382 MAIN STREET DEADWOOD, SD 57732 605-578-1637	DATE: MARCH 27, 1997 SCALE: 1" = 1000' DRAWN: KBA	SURVEYED: JMA DWG: WELL LEO
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1648-1

PLAT OF LOT B, OF A PORTION OF

SILVER STAR M.S. 150, BOGGI M.S. 1806, & ORO M.S. 1543,
LOCATED IN THE SW 1/4 OF SECTION 29, T5N R3E, B.H.M.,
LAWRENCE COUNTY, SOUTH DAKOTA



SURVEYOR'S CERTIFICATE

I, John M. Arleth, 24 Cliff St., Deadwood, S.D., being a Registered Land Surveyor in and for the State of South Dakota, do hereby certify that at the request of the owners, I have surveyed and platted the property as shown hereon, and that all dimensions are true and correct, to the best of my knowledge and belief.

John M. Arleth, R.L.S. #3977

ACKNOWLEDGEMENT OF SURVEYOR

State of South Dakota County of Lawrence

Be it remembered that on the 3rd day of August, 1987, before me the undersigned Notary Public, personally appeared John M. Arleth, known to me to be the person described in and executed the foregoing certificate.

My Commission Expires: July 17, 1994

Ther A. Bond - Auchampack
Notary Public

OWNERS CERTIFICATE

State of South Dakota County of Lawrence

Homestake Mining Company, owner of the herein platted LOT B, BEING A PORTION OF THE SILVER STAR M.S. 150, BOGGI M.S. 1806, & ORO M.S. 1543, LOCATED IN THE SW 1/4 OF SECTION 29, T5N R3E, B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA; do hereby approve this plat as shown hereon. Development of this plat shall conform to all existing applicable zoning, subdivision, erosion, and sediment control regulation.

SOUTH DAKOTA WATER WELL COMPLETION REPORT

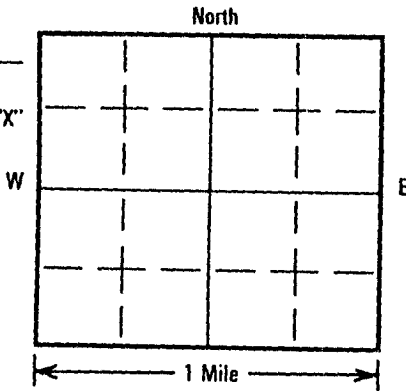
owner copy

07-92

Location $\frac{1}{4}$ $\frac{1}{4}$ Sec 29 Twp 5N Rg 3E

County Lawrence

Please mark well location with an "X"



Well Completion Date 10-11-98

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 100 ft. from septic system (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

rotary machine

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Drift</u>	<u>1</u>	<u>14</u> lb./gal	<u>10</u> ft	<u>3</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☐ Manufactured none
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: _____
_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Black Hills Land & Title Co.

Business Name: Rose Island

Address: P.O. Box 588
Deadwood, S.D. 57732

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Drift	0	23
Schist Hd. Black	23	40
Schist Fractured	40	41
H ₂ O - 5° gpm		
Schist Hd. Black	41	70
Quartz - Fractured	70	72
H ₂ O - 15° gpm		
Schist Hd. Black	72	80
Schist Fractured	80	81
H ₂ O - 25° gpm		
Schist Hd. Black	81	100

STATIC WATER LEVEL 10 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:

☒ Pumped 257 Describe: 257 gpm
☐ Bailed
☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS



This well was drilled under license # 350

And this report is true and accurate.

Drilling firm Anderson Brothers Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 18, 1997

Ron Island
and P. L. Roberts
PO Box 588
Deadwood SD 57732

Dear Sirs:

Thank you for submitting your *Application for a Permit to Appropriate Water* for commercial use.

Enclosed is the plat map submitted with the application. The map needs to show the location of the well in relation to a government section corner or quarter corner. Also, the plat map states the location as being located in the SW 1/4 of Section 29-T5N-R3E. Item No. 4 of the application states the well is located in Section 27-T5N-R3E. Please clarify.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

See New Map Enclosed.



REPORT ON PERMIT APPLICATION NO. 1648-1

RON ISLAND & P.L. ROBERTS

APRIL 10, 1997

Water Right Application No. 1648-1 proposes to appropriate 25 gallons per minute (0.055 cubic feet of water per second) from one well 103 feet deep located in the NE ¼ SW ¼ Section 29, T5N-R3E. The water is for commercial use.

AQUIFER: Crystalline Rock (CRSL)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The crystalline rock in this area consists primarily of calcareous and dolomitic schists (Darton, 1921). Groundwater occurs in small intergranular voids in the rock (primary porosity); but is primarily derived from bedding planes, joints, and fractures (secondary porosity). The distribution, orientation and interconnection of these zones of secondary porosity and permeability are unpredictable, and the aquifer characteristics are site specific and highly variable. The aquifer is under unconfined conditions.

The Well Completion Reports for this well indicates that the crystalline rock is mantled with 23 feet of "drift" which is probably alluvium, colluvium, and/or weathered schist. A direct hydrologic connection probably exists between this overlying unconsolidated material and the crystalline rock, and can be considered a single aquifer. The aquifer is probably hydraulically connected to Deadwood Creek, and the static water level of this well should be approximately creek level.

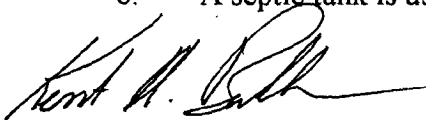
The amount of recoverable water in storage in this aquifer has not been quantified. Considering the number of wells that are supplied from this aquifer, the crystalline rock is obviously a viable aquifer with water available for appropriation. Recharge to the aquifer which is through infiltration of precipitation and from seepage from streams has not been estimated. The Water Rights Program monitors an observation well completed into the crystalline rock in the City of Custer. The observation well shows the crystalline rock responds well to climatic conditions, that is the water levels rise during wet years and gradually decline during dry years. The water levels are expected to behave similarly in this area.

Effects on Existing Water Rights:

The Water Rights Program has record of a number of domestic wells completed into the crystalline rock in this area. The only appropriative right in the vicinity of this well, Water Right No. 565-1, Black Hills Power and Light, appropriates 1.33 cfs from a mine shaft located in the SE ¼ SE ¼ Section 30, T5N-R3E. It is not likely that this appropriation will have an adverse impact on water rights in the area since the requested diversion rate is relatively low and the distance to existing wells is sufficient to minimize any interference.

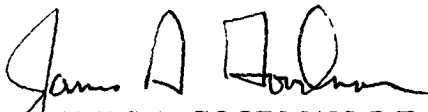
CONCLUSIONS:

1. The Crystalline Rock is a viable source of groundwater in this area.
2. Recharge to the Crystalline Rock which is through direct infiltration of precipitation and streamflow loss , has not been quantified.
3. There is a reasonable probability that unappropriated groundwater is available from the Crystalline Rock in this area.
4. This proposed appropriation should have no adverse affect on existing water rights/permits due to the small diversion rate requested from the well.
5. The South Dakota Water Well Completion Report filed for this well indicates the well was constructed in accordance with the SD Well Construction Standards.
6. A septic tank is used for waste disposal at this facility.



KEN BUHLER
Natural Resource Engineer

approved by:



JAMES A. GOODMAN, P.E.
Natural Resources Engineer

REFERENCES:

Darton, N.H., Paige, S., 1925, Geologic Atlas of the United States, Central Black Hills Folio, USGS Folio No. 219.

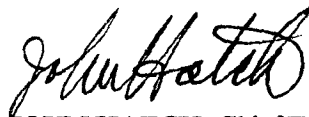
Water Rights Program, 1995, "Water Permit and Domestic Well Log Files", DENR-Division of Environmental Services -Water Rights Program, Joe Foss Bldg, Pierre, SD.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1648-1, Ron Island and P. L. Roberts

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 1648-1, Ron Island and P.L. Roberts, P.O. Box 588, Deadwood, SD 57732.

The Chief Engineer is recommending APPROVAL of Application No. 1648-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest.

See report on application for additional information.

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
May 7, 1997



**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.

May 8, 1997

Ron Island and P. L. Roberts
P.O. Box 588
Deadwood, SD 57732

Dear Sirs:

Water Permit Application No. 1648-1 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 Black Hills Pioneer printed at Spearfish, SD (Ph # (605) 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

May 8, 1997

Black Hills Pioneer
P.O. Box 7
Spearfish, SD 57783-0007

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1648-1 to be published twice. Please publish the first notice on May 19, 1997, 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 APPLICANTS are Ron Island and P. L. Roberts, P.O. Box 588, Deadwood, SD 57732 (Ph # (605) 578-2376).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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 Program
Joe Foss Building
Pierre SD 57501-3181

No. 1648-1

Date _____

We are in receipt of your letter of May 8th enclosing Notice of Hearing to Appropriate Water by Application No. 1648-1 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 May 19, 1997, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1648-1 to Appropriate Water

Notice is given that Ron Island & P.L. Roberts, PO Box 588, Deadwood SD 57732 has filed an application for a water permit to appropriate 0.055 cubic feet of water per second (25 gallons per minute) from one well (Crystalline Rock) 103 feet deep located in the NE 1/4 SW 1/4 Section 29-T5N-R3E. The water is for commercial use purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1648-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 June 5, 1997.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LAWRENCE

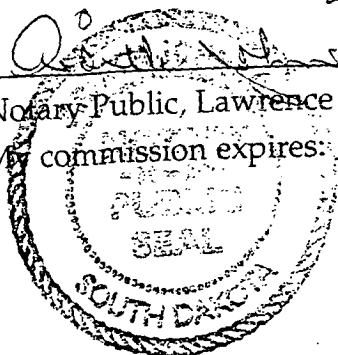
Billy T. Masterson, Jr. of said County and State being first duly sworn, on his oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Billy T. Masterson, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and That I, Billy T. Masterson, Jr., the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

538 Notice of Application No. 1648-1
To Appropriate Water

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive and consecutive weeks, the first publication being made on the 19th day of May, 1997 and the last publication on the 27th day of May, 1997, that the full amount of fees charged for publishing same, to-wit: The sum of \$ 36.45, insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this 27th day of May, 1997.

Notary Public, Lawrence County, South Dakota
My commission expires: 10-24-2004



NOTICE OF APPLICATION NO. 1648-1 to Appropriate Water

NOTICE IS GIVEN that Ron Island & P.L. Roberts, PO Box 588, Deadwood SD 57732 has filed an application for a water permit to appropriate 0.055 cubic feet of water per second (25 gallons per minute) from one well (Crystalline Rock) 103 feet deep located in the NE 1/4 SW 1/4 Section 29-T5N-R3E. The water is for commercial use purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1648-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 June 5, 1997.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

Nettie H. Myers,
Secretary,
Department of Environment
and Natural Resources.

#538
May 19, 27



You will notice the
publish dates on the
2nd publication are
different from the first
as the date originally
scheduled for the 2nd
publication was a holiday
and we had no paper
May 26. Therefore, the
2nd date was changed
to May 27th.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 11 1997

Ron Island and P. L. Roberts
P.O. Box 588
Deadwood, SD 57732

Dear Sirs:

Enclosed is Water Permit No. 1648-1 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 Program
605 773-3352

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.



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

Date June 12, 1987

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

FROM: Ron Island & Pat Roberts P.O. Box 588
(name) (address)

Deadwood SD 57732 605-578-2376
(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. 1648-1.

Water Permit No. 1648-1 states that the diversion system is to be constructed by 3-27-97, and that the water is put to beneficial use by
(date)

3-27-97
(date)

The diversion system was completed on 3-27-97
(date)

Applying the water to beneficial use was completed on 3-27-97
(date)

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

Ron Island
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 15, 1999

1648-1

~~Ron Island~~ and P. L. Roberts
P.O. Box ~~588~~ 229
Deadwood, SD 57732

PLEASE
CHANGE ADDRESS + NAME
AS SHOWN

Dear Sirs:

The investigation of your water use system was conducted on September 9, 1998, by Ken Buhler, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1648-1. 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

E: 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

№ 416229

Pierre, _____

October 22, 19 99

RECEIVED OF P. L. Roberts, P.O. Box 229, Deadwood, SD 57732
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. 1648-1

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

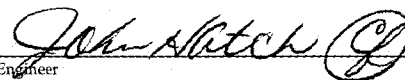
(Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 22, 1999

1648-1

P. L. Roberts
PO Box 229
Deadwood, SD 57732

Dear Mr. Roberts:

I am writing to acknowledge receipt of the \$50.00 fee you submitted for payment of the investigation and issuance of the water license.

You made a notation when submitting the fee that you would like the name and address changed. It is no problem to change the address in permit files, however when an ownership change occurs, we require a signed/notarized "*Notice of Transfer of Ownership*" form to be filed.

Enclosed is a partially completed "Notice of Transfer of Ownership" form. Please review the form for accuracy and complete as needed. Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50.

We will hold up on issuing the water license until we receive the transfer of ownership material from you. That way the license can be issued in the correct name.

Thank you in advance for your help. If you have any questions concerning the water permit, licensing process or the completion of the transfer form, please contact me.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 15, 2000

1648-1

P L Roberts
PO Box 229
Deadwood, SD 57732

Dear Mr. Roberts:

I am contacting you in regard to ownership of Water Permit No. 1648-1. In October, 1999, you indicated when submitting a fee for licensing of the permit that the name on the permit should be P L Roberts instead of "P L Roberts and Ron Island". A transfer form was forwarded to you for filing the ownership change but to date we have not heard from you.

I am assuming that you still wish to have the permit transferred. At this point, we are holding up issuance of the water license until the transfer has been filed to ensure that the license is issued in the correct name. I am enclosing another partially completed "Notice of Transfer of Ownership" form for use in filing the change.

Please review the form and sign it in the presence of a notary public. Upon completion, please return the form to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the "Water Rights Program."

If you no longer wish to have the name on the permit changed and want the license issued under both names, please let me know. Thank you in advance for your help.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
genny.mcmath@state.sd.us

enclosure

Water Rights Program

N2 416408

Pierre, March 2, 2000

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

Fee for

2 50

(Any Other Work Provided by Law)

Total

2	50
---	----

By

Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 27, 2001

1648-1

Ron Island
PO Box 588
Deadwood, SD 57732-0588

Dear Mr. Island:

Thank you for following up on the ownership change for Water Right No. 1648-1. The transfer has been completed. The water right formerly listed in the name of P L Roberts is now listed in your name.

Enclosed is your Receipt No. 416757 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure

Permit No. 1648-1
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, September 9, 1998, made a thorough examination of the water use system constructed by Ron Island and P.L. Roberts of PO Box 588, Deadwood, SD, 57732 holder of Permit No. 1648-1, bearing the priority of March 18, 1997 authorizing the diversion of 0.055 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:

Water is diverted from a 6-inch diameter well 103 feet deep located in the SE¼ SW¼ NE¼ SW¼ Sec. 29, T5N-R3E with a ½ horsepower Grundfos submersible pump capable of diverting 10 gallons per minute.

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

Water is transported to place through 20 feet of 1-inch diameter polyethylene pipe.

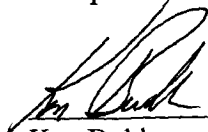
C. Works used to apply water to beneficial use:

Water is applied to beneficial use for a restroom and personal carwash at a garage.

The system is in the following condition good. The point of diversion is located 1600 feet north and 1950 feet east of the south west corner of Sec. 29, T5N-R3E. The works are capable of diverting and conveying to the place of use 0.022 cu. ft. per second of water which is to be used for commercial purposes. The license should be issued for 0.022 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: na



Ken Buhler
Natural Resources Engineer
DENR, Water Rights Program

10/13/99
Date

REPORT ON INSPECTION OF PERMIT NO. 1648-1

Other permit(s) associated with the project: none

NAME & ADDRESS OF INSPECTION CONTACT Ron Island, PO Box 588, Deadwood SD 57732

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Owner

NAME & ADDRESS OF PERMIT HOLDER: Ron Island and Pat Roberts, PO Box 588, Deadwood SD, 57732

DATE OF INSPECTION: September 9, 1998

DIVERSION POINT LEGAL LOCATION: 1600 feet north and 1950 feet east of the south west corner of Sec. 29, T5N-R3E (SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, T5N-R3E)

WELL INFORMATION:

- 1) Well Drilling Firm: Alexander Drilling
- 2) No. of Wells one
- 3) Depth(s) 103 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 6 inches
- 2) Length 34 feet
- 3) Type steel

Screen:

- 1) Type none- open hole completion
- 2) Length 69 feet
- 3) Static water level 10 feet

Pump:

- 1) Make Grundfos
- 2) Model submersible
- 3) Size $\frac{1}{2}$ horsepower
- 4) Capacity 10 GPM

Motor:

- 1) Make Franklin Electric
- 2) Horsepower rating 1/2 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type polyethylene
- 2) Size 1 inches
- 3) Length 20 feet

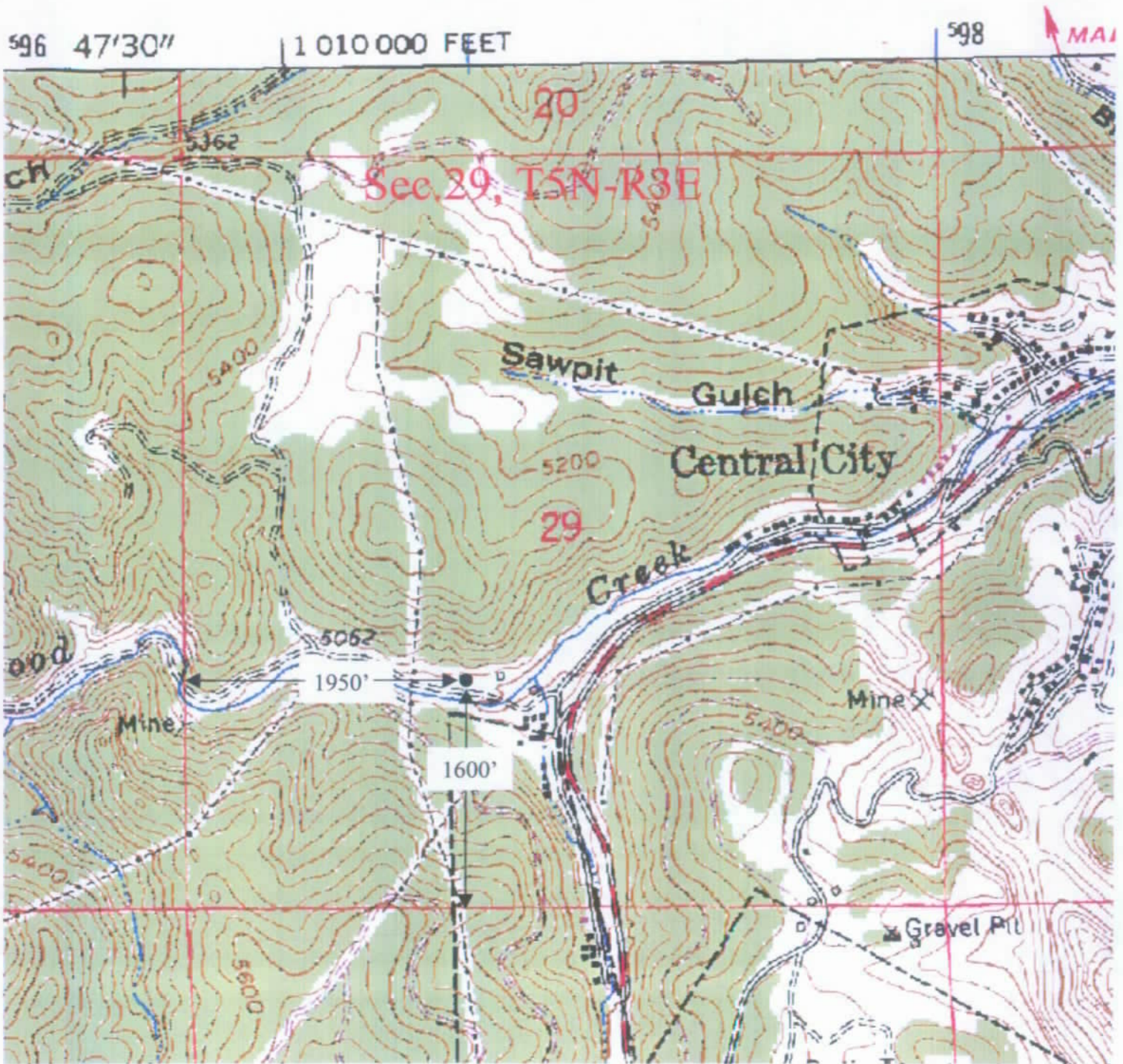
SYSTEM:

Water is used for a restroom at garage and personal car wash. Frost free hydrant located 20' south of well.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period na

Water Right No. 1648-1



2000 0 2000 Feet



Ken Buhler
Ken Buhler
Natural Resources Engineer
Water Rights Program



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1648-1

(1) Ron Island and P. L. Roberts, PO Box 588, Deadwood SD 57732 made Application No. 1648-1, March 18, 1997 for a water permit to divert 0.055 cubic feet of water per second from groundwater (one well), Lawrence County, South Dakota for commercial purposes. Permit No. 1648-1, with a priority date of March 18, 1997 was approved June 5, 1997 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.

The permit holders submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on June 13, 1997. The *Notice* stated the diversion system was completed on March 27, 1997 and the water placed to beneficial use on March 27, 1997.

On March 2, 2000, Water Permit No. 1648-1 was transferred to P. L. Roberts.

(2) It is certified that the permit holders have 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 0.022 cubic feet of water per second for beneficial use. The location of the diversion point is 1,600 feet north and 1,950 feet east of the southwest corner of Section 29-T5N-R3E (NE ¼ SW ¼)

(3) The permit holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to supply water to a restroom and car wash.

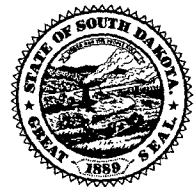
(4) Pursuant to South Dakota Water Law 46-5-30.1 P. L. Roberts, PO Box 229, Deadwood SD 57732 the holder and/or owner of Water Right No. 1648-1 is issued a license to appropriate water, the right to use 0.022 cubic feet of water per second from groundwater (one well) with a priority date of March 18, 1997 from the location specified in (2) of this license for commercial purposes. This license is subject to any limitations or qualifications listed in Water Right No. 1648-1 and subject to South Dakota State Law.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 10 2000

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 10 2000

1648-1

P. L. Roberts
P.O. Box 229
Deadwood, SD 57732

Dear Mr. Roberts:

Enclosed is Water License No. 1648-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416229 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License. Also enclosed is Receipt No. 416408 in the amount of \$2.50 which you paid for the Transfer of Ownership of this 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. 1648-1, 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,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

January 17, 2001

2000 South Dakota Water Use Questionnaire

To:

~~P L ROBERTS
PO BOX 229
DEADWOOD SD 57732 0229~~

Address correction requested:

Ron Island
P.O. Box 588
Deadwood, S.D. 57732

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 1648-1. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: PRECAMBRIAN ROCK
Management Unit: NOT APPLICABLE

County: LAWRENCE
Pumping Pt. Legal: SEC 29-T005N-R03E
Type of Water Use: COMMERCIAL

- 1) Please estimate your year 2000 water use from the above water source: 10-20,000 gallons
2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments:

Our water use is FAIRLY LIMITED
I only estimate 10,000 to 20,000 gallons
We have a few vehicles & have one
bathroom

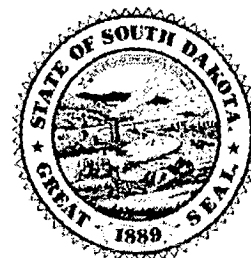
Contact Person:

Ron Island

Telephone No:

605-578-2376

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.



Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 31, 2001

No. 1648-1

Ron Island
PO Box 588
Deadwood SD 57732

Dear Mr. Island:

As I stated in our phone conversation, enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1648-1. The water right is currently listed in the name of P. L. Roberts.

The transfer form should be checked over for accuracy and **signed by the new owner** in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to ~~appropriate water to be~~ filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

No 416757

Pierre, February 9, 2001

RECEIVED OF Ron Island, PO Box 588, Deadwood SD 57732

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

(P.L. Roberts)

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. _____

Fee for Filing Transfer Form 1648-1

2 50

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Darland Eide
Chief Engineer
gm

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 1648-~~1~~

Date: 2-6-01

I/We request that Water Right No. 1648-~~1~~

formerly owned by: P. L. Roberts

be transferred to: (name & address) Ron Island, PO Box 588, Deadwood SD 57732

Telephone No. 605 578-2376

Title to the following described land(s)/property has been transferred as described above:

one well located in the NE 1/4 SW 1/4 Section 29-T5N-R3E

I/We understand that the validity of Water Right No. 1648-~~1~~ has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Lawrence)

I/We Ron Island being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Ron Island

(Signed)

Subscribed and sworn to before me this 8th day of February, 2000.

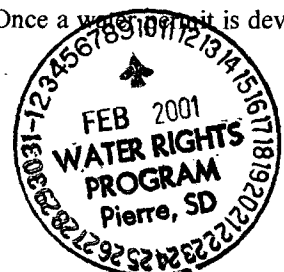
Luther Weiss

(Notary Public)

My Commission Expires
October 13, 2003

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.



February 2, 2006

2005 South Dakota Water Use Questionnaire

1648-1

To:

Address correction requested:

RON ISLAND
PO BOX 588
DEADWOOD SD 57732 0588

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 1648-1. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: PRECAMBRIAN ROCK
Management Unit: NOT APPLICABLE

County: LAWRENCE
Pumping Pt. Legal: SEC 29-T005N-R03E
Type of Water Use: COMMERCIAL

- 1) Please estimate your year 2005 water use from the above water source: _____ gallons
- 2) If no water use in 2005, please list the reason(s) why in the comments section.

Comments:

I SOLD THIS BUILDING TO LARRY JACOBS,
11330 BLACK FOREST ROAD, LEAD, SD 57754

Contact Person:

LARRY JACOBS

Telephone No:

605-390-5638 - cell # only

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.



Thank you for completing the 2005 water use questionnaire

Water Rights on the Web: www.state.sd.us/denr/wr

RECEIVED

FEB 13 2006

WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 16, 2006

No. 1648-1

Larry Jacobs
11330 Black Forest Rd
Lead SD 57754

Dear Mr. Jacobs:

The 2005 SD Water Use Questionnaire for Water Right No. 1648-1 was returned by Ron Island indicating he had sold this property to you. The questionnaire and a partially completed "Notice of Transfer" form for use in filing a transfer on Water Right No. 1648-1 are enclosed. I have also enclosed a copy of the water right for your records.

The transfer form should be checked over for accuracy and signed by the new owner. Upon completion, return the form and questionnaire to our office. A filing fee of \$2.50 is required for the transfer.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

May 16, 2006

No. 1648-1

Larry Jacobs
11330 Black Forest Rd
Lead SD 57754

Dear Mr. Jacobs:

On February 16, 2006, I wrote you concerning Water Right No. 1648-1 listed in the name of Larry Jacobs. This is a reminder that we have not received the *Notice of Transfer of Ownership* form.

Enclosed is another partially completed *Notice of Transfer of Ownership* form. The transfer form should be completed, checked over for accuracy and **signed by the new owner.** Upon completion, return the form to our office with a required filing fee of \$2.50.

If you now longer use this well for commercial purposes, please let me know. It is important to us to keep our records current. If you have any questions, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED
MAY 24 2006
WATER RIGHTS
PROGRAM

No. 1648-1

Date: 5-20-06

I/We request that Water Right/Permit No. 1648-1

formerly owned by: Ron Island

be transferred to: (name & address) Larry Jacobs

11330 Black Forest Road

Lead, S.D. 57754

Telephone No. 605.390.5638

Title to the following described land(s)/property has been transferred as described above:

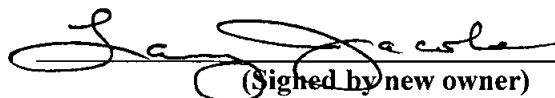
1 well - NE 1/4 SW 1/4 Section 29-T5N-R3E

I/We understand that the validity of Water Right/Permit No. 1648-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Larry Jacobs, the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date May 24, 2006

RECEIVED OF Larry Jacobs, 11330 Black Forest Road, Lead SD 57754

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	2	50
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 <u>1648-1</u>		
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. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

02459

By

Daniel White
Chief Engineer *gm*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

May 24, 2006

1648-1

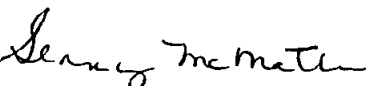
Larry Jacobs
11330 Black Forest Rd
Lead SD 57754

Dear Mr. Jacobs:

Thank you for following up on the ownership change for Water Right No. 1648-1. The transfer has been completed. The water right formerly listed in the name of Ron Island is now listed in your name.

Enclosed is your Receipt No. 02459 in the amount of \$2.50. You may keep this for your records. If I can answer any questions for you, please contact me.

Sincerely,


Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure