

WATER PERMIT NO. 1741-<sup>1</sup>/<sub>2</sub>

Name of Applicant: Clifford N Stygles

Address: 11600 J-B Road, Black Hawk SD 57718

Phone: 605 787-4057

Amount of Water Claimed: 0.1 cfs (45 gpm)

Total Acres: NA

Source of Water Supply: groundwater (1 well)

Water to be used for: suburban housing development

County: Meade

Type of Waste Disposal System: drain field

Location: 2 miles north of Black Hawk

PRIORITY Date Received: 7-3-2000

Fee: \$50

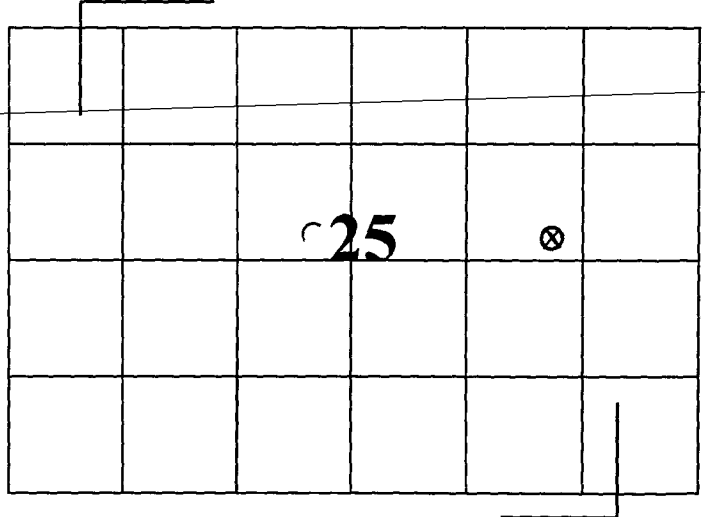
Corrected Application Received: 10-18-2000

Period of Annual Use: January 1 – December 31

Remarks: Madison Formation well

Diversion Point: SE ¼ NE ¼ Sec 25-T3S-R6E

Land to be Irrigated: NA



Depth of Well: 1180 feet deep

Well Driller: : Cimmarron Well Drilling

Remarks:

Type of Map: plat

Prepared by: Jerry Wendland, PE

Reviewed and the Number Assigned on: 10-20-2000

By: Karen Schlaak

Notice of Hearing - date to intervene: \_\_\_\_\_

**SOUTH DAKOTA**  
**WATER PERMIT NO. 1741-1**

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Date of first receipt of application June 21, 2000.

Date of return to applicant for corrections, amendments or changes June 23, 2000.

Date of receipt of corrected application December 12, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1741-1 to Clifford N Stygles, 11600 J-B Road, Black Hawk SD 57718 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. 1741-1 appropriates 0.10 cubic feet of water per second (45 gallons per minute) from one well (Madison Formation) 1180 feet deep located in the SE ¼ NE ¼ Section 25-T3N-R6E.
2. The water appropriated shall be used for suburban housing development use at the Rendezvous Ranch Subdivision 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. 1741-1 is February 26, 2001.
5. The date from which applicant may claim right is December 12, 2000.
6. One-fifth of the construction is to be completed on or before August 26, 2003.
7. All construction is to be completed on or before February 26, 2006.
8. Water is to be put to beneficial use on or before February 26, 2010.
9. ~~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. 1741-1 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. 1741-1 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 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: Garland Erbele  
Garland Erbele, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

MAR 13 2001

date



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

|                                                                                                                    |                                          |                                      |
|--------------------------------------------------------------------------------------------------------------------|------------------------------------------|--------------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. <u>1741-1</u>                        | (office use only)<br>Hydrologic Unit |
|                                                                                                                    | Basin <u>Upper Cheyenne</u>              |                                      |
|                                                                                                                    | Newspaper <u>Meade Co. Times-Tribune</u> |                                      |
|                                                                                                                    |                                          |                                      |



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

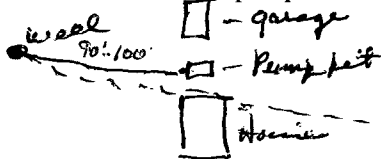
### Check use(s) of water:

|                                                 |                                                      |                                          |                                          |
|-------------------------------------------------|------------------------------------------------------|------------------------------------------|------------------------------------------|
| <input type="checkbox"/> Municipal              | <input checked="" type="checkbox"/> Suburban Housing | <input type="checkbox"/> Recreational    | <input type="checkbox"/> Institutional   |
| <input type="checkbox"/> Rural Water System     | <input type="checkbox"/> Commercial                  | <input type="checkbox"/> Fish & Wildlife | <input type="checkbox"/> Geothermal Heat |
| <input type="checkbox"/> Domestic (over 18 gpm) | <input type="checkbox"/> Industrial                  | <input type="checkbox"/> 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 CLIFFORD N. STYGLES Phone 605-787-4057  
(check one) Owner Tenant/lessee  
Mailing Address 11600 J-B Road Black Hawk State S.D. 57718  
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 45 GPM \*CFS or 0.1 cfs \*\*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 #3 - Madison Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) E 1/2 section 25  
T53N - R6E - 1 Well (SE 1/4 NE 1/4) County Meade
- County or counties where water will be used Meade Co.
- Annual period during which water is to be used ANNUAL 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)



STATE OF SOUTH DAKOTA)

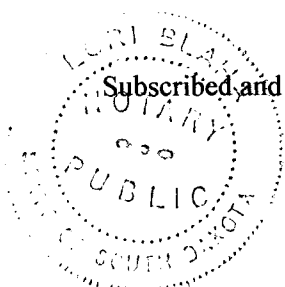
County of MEADE SS

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)

I, Clifford N. Stygles, 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.

Applicant's signature Clifford N. Stygles

Subscribed and sworn to before me this 19th day of June 2000



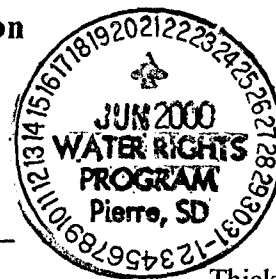
LORI BLAHA  
MY COMMISSION EXPIRES  
MARCH 21, 2002

Lori Blaha

Notary Public signature

## Supplemental Information

(type or print in ink)



## 1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 7/8" Depth 1180'
- b) Casing Type Steel Diameter 5 1/2" Thickness sch. 40
- c) Screen Type NONE Diameter NONE Thickness \_\_\_\_\_
- d) Gravel Pack NONE Length of Gravel Pack \_\_\_\_\_
- e) Depth to Top of Water Bearing Material 1000'
- f) Depth to Water (ground surface to water level) 100'
- g) Distance to nearest existing domestic well: 100' to MINNUSIA well
- On applicants property 100' On property owned by others \_\_\_\_\_

## 2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Single Family Field -
- b) System Capacity (gallons) 1500' Year Constructed \_\_\_\_\_
- c) Connected to the City of Private Sanitary System \_\_\_\_\_

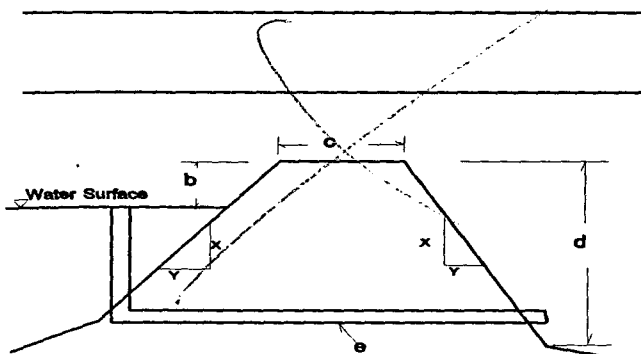
## 3. Dugout Information

- 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

## Water Rights Program

South Dakota Department of Environment and Natural Resources

No 416564

Pierre, \_\_\_\_\_ July 3, 2000

RECEIVED OF Clifford N. Stygles, 11600 J-B Road, Black Hawk, SD 57718  
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 1741-1 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. 1741-1

50 00

Fee for Filing Transfer Form \_\_\_\_\_

Fee for Filing Extension Request \_\_\_\_\_

Fee for \_\_\_\_\_

(Any Other Work Provided by Law)

Total

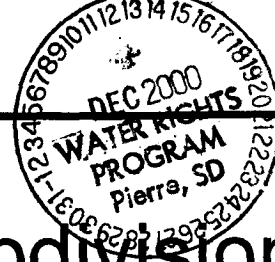
100 00

By

Chief Engineer

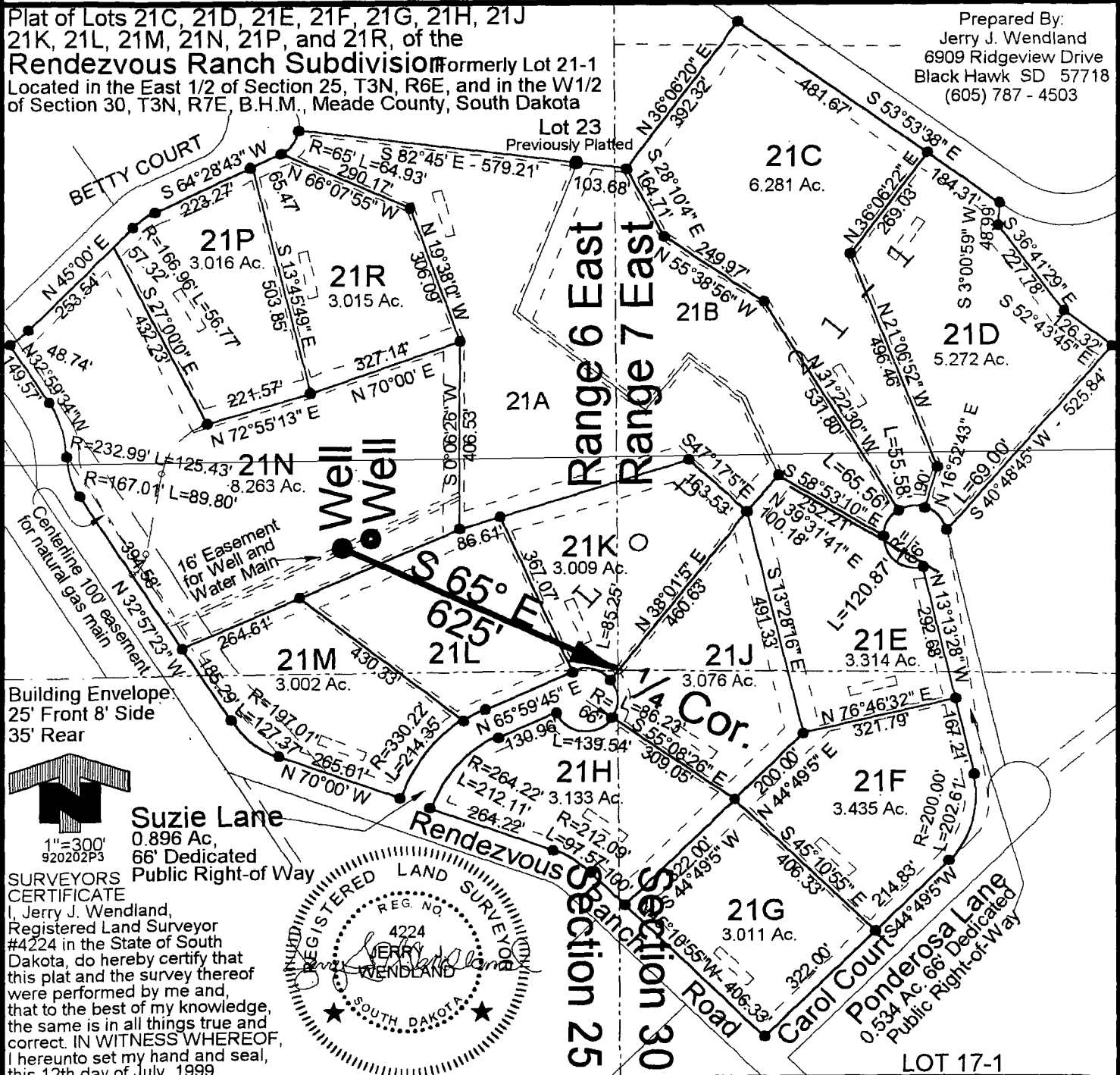
*Harland E. Eble*





Plat of Lots 21C, 21D, 21E, 21F, 21G, 21H, 21J  
21K, 21L, 21M, 21N, 21P, and 21R, of the  
**Rendezvous Ranch Subdivision** formerly Lot 21-1  
Located in the East 1/2 of Section 25, T3N, R6E, and in the W1/2  
of Section 30, T3N, R7E, B.H.M., Meade County, South Dakota

Prepared By:  
Jerry J. Wendland  
6909 Ridgview Drive  
Black Hawk SD 57718  
(605) 787 - 4503



1741-1



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

May 16, 2000

Michael Deutsch  
Cimarron Drilling  
9017 S. Ridge Trail  
Sturgis, SD 57785

Dear Mr. Deutsch:

This is written confirmation of the authorization you received via telephone May 12, 2000. As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for Rendezvous Ranch, Cliff Stygles, 11600 J.B. Road, Black Hawk SD 57718, prior to approval of a water permit. The test well is to be completed into the ~~Minnehaha~~ *MADISON* Aquifer in the E½ Section 25, T3N-R6E. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

*KB*  
*5/23/00*

Very truly yours,

JAMES A. GOODMAN, P.E.  
Natural Resources Engineer  
for GARLAND ERBLE, Chief Engineer  
Water Rights Program  
(605) 773-3352

cc: Cliff Stygles

**CIMARRON DRILLING**

WATER WELLS - TEST HOLES - CATHODIC - PUMPS

PUMP SERVICE - SHALLOW PRODUCTION

9017 S. RIDGE TRAIL

STURGIS, SD 57785

605-347-3071



Attn: K. Buhler

Gentlemen:

I am Requesting permission To  
drill a Test well until Permit  
can be obtained.

This well will be approximately  
1000' To 1100' into The Madison FM.  
and located on lot 21-N of  
Rendezvous Ranch Subdivision  
in the E $\frac{1}{2}$  of S-25, T-3N, -R6E, BHM,  
in Meade County S.D.

The owner will be Cliff Styles  
of Rendezvous Ranch Subdivision,  
11600 J. B. Road, Black Hawk S.D.

I AM starting drilling <sup>MAY</sup> April 15-00 57718

Respectfully Submitted  
Michael J. Deutch  
CIMARRON Drilling Inc.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

June 23, 2000

Clifford N Stygles  
11600 J-B Road  
Black Hawk SD 57718

Dear Mr. Stygles:

Thank you for submitting the *Application for a Permit to Appropriate Water* for a suburban housing development. This application is for a new Madison Formation well planned at the development.

I spoke with your manager recently regarding the number of wells to be used by this development. He indicated there are two older wells and a new Madison Formation well at the Rendezvous Ranch, however, only two wells were to be used. If this is true then both of the wells being used will need to be permitted. The other older well, if no longer be used, should be plugged in accordance with well construction standards unless the well is intended for back-up purpose at the development.

It was my understanding each well is capable of producing 45 gallons per minute and will be pumped on an alternating basis. Is this correct or is the second well to be used as a back up supply?

Water right permits are issued from an individual water source. If the development is utilizing wells from different water sources it will be necessary to obtain separate permits for each well. Enclosed is another application form to apply for a permit for the older well. The filing fee for an additional application of less than 45 gpm from the other water source is an additional \$100. I have reviewed our files and cannot find a well completion report for either of the older wells.

A map showing the location of the wells in relation to a government section corner or quarter corner by direction and distance is also required. Each well needs to include a designation to reflect its water source. 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 NRCS office).

If you have any questions, please contact Eric Gronlund or myself at (605) 773-3352.

Sincerely,

Karen Schlaak  
Water Rights Program

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

October 10, 2000

Clifford N Stygles  
11600 J-B Road  
Black Hawk SD 57718

Dear Mr. Stygles:

As stated in our phone conversation this morning, enclosed is the map for your water permit application. Please complete the following:

- The map and/or well locations need to reference a government section corner or quarter corner by direction and distance.
- The map also needs to be signed by whoever prepared it. You indicated that Jerry Wendland prepared the map, please have him sign the map and reference a section corner.

If you have any questions, please contact Eric Gronlund or me.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

NOTE: TO BE SURE OF PUBLICATION ON  
THE CORRECT DATES, CONTACT  
THE NEWSPAPER RIGHT AWAY.

January 17, 2001

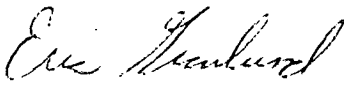
Clifford N Stygles  
11600 J-B Road  
Black Hawk SD 57718

Dear Mr. Stygles:

Water Permit Application Nos. 1740-1 and 1741-1 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 Meade Co Time-Tribune printed at Sturgis, SD (Ph # 605-347-2503). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

  
Eric Gronlund  
Natural Resources Engineer  
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on January 24, 2001 with the second publication 7 days later. The applicant is responsible for payment.

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## NOTICE OF APPLICATION NO. 1740-1 and 1741-1 to Appropriate Water

Notice is given that Clifford N Stygles, 11600 J-B Road, Black Hawk SD 57718 has filed the following applications for a water permit. Application No. 1740-1 requests 0.10 cubic feet of water per second (cfs) (45 gallons per minute) from one well (Minnelusa Formation) 806 feet deep located in the SE ¼ NE ¼ Section 25-T3N-R6E. The water is for suburban housing development use at the Rendezvous Ranch Subdivision.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 1740-1 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.

Application No. 1741-1 requests 0.10 cfs (45 gallons per minute) from one well (Madison Formation) 1180 feet deep located in the SE ¼ NE ¼ Section 25-T3N-R6E. The water is for suburban housing development use at the Rendezvous Ranch Subdivision.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1741-1 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.

In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the applications or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications 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 February 12, 2001.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

January 17, 2001

Meade Co. Times-Tribune  
Box 69  
Sturgis SD 57785-0069

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application Nos. 1740-1 and 1741-1 to Appropriate Water to be published twice. Please publish the first notice on January 24, 2001 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 Clifford N. Stygles, 11600 J-B Road, Black Hawk SD 57718 (Ph # 605-787-4057).

**Please send the Water Rights Program the first publication immediately.** The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the ~~Water Rights Program records require an affidavit or Proof of Publication.~~ Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures

-----CUT HERE-----

No. 1740-1 and 1741-1

TO: Eric Gronlund  
Water Rights Program  
Joe Foss Building  
Pierre SD 57501-3181

Date \_\_\_\_\_

We are in receipt of your letter of January 17, 2001 enclosing Notice of Hearing to Appropriate Water by Application Nos. 1740-1 and 1741-1 which was first published in our issue of \_\_\_\_\_. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper



Country Media, Inc.

## Country Media, Inc.

Newspaper Publishers • Commercial Printer

1022 Main Street • P.O. Box 69 • Sturgis, SD 57785

FROM:

Joan Lewis

Date: 1-23-01

Time:

OF:



• Meade County  
Times-Tribune  
• Black Hills Press  
• West River Catholic  
• BH Real Estate Review  
1022 Main Street  
P.O. Box 69  
Sturgis, SD 57785  
(605) 347-2503  
Fax: (605) 347-2321

## FAX COVER SHEET

TO: Dept. of Environment

ATTENTION: Karen Schlaak

Regarding: Stygles Water Notice



• Belle Fourche Post  
• Belle Fourche Bee  
1004 5th Street  
P.O. Box 400  
Belle Fourche, SD 57717  
(605) 892-2528  
Fax: (605) 892-2529



• Butte County  
Valley Irrigator  
119 Third Street  
P.O. Box 167  
Newell, SD 57760  
(605) 456-2585  
Fax: (605) 456-2587



• Lawrence County  
Centennial  
Second Floor  
Post Office Building  
P.O. Box 512  
Deadwood, SD 57732  
(605) 578-3305  
Fax: (605) 578-2023



• Tri State  
Livestock News  
(605) 347-2585  
Fax: (605) 347-2525

Message: Karen we haven't been able  
to get the verbal o.k. from  
Clifford Stygles to run his notice.  
Please advise us what to do.

Thank!

Joan

To Fax No.: (605) 773-4068

Pages including cover letter: 1

Telephone (605) 347-2503 • Fax (605) 347-2321



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

NOTE: TO BE SURE OF PUBLICATION ON  
THE CORRECT DATES, CONTACT  
THE NEWSPAPER RIGHT AWAY.

January 29, 2001

Clifford N Stygles  
PO Box 1169  
Black Canyon City AZ 85324

Dear Mr. Stygles:

Water Permit Application Nos. 1740-1 and 1741-1 for commercial use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Meade Co Time-Tribune printed at Sturgis, SD (Ph # 605-347-2503). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund  
Natural Resources Engineer  
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 29, 2001

Meade Co. Times-Tribune  
Box 69  
Sturgis SD 57785-0069

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application Nos. 1740-1 and 1741-1 to Appropriate Water to be published twice. Please publish the first notice on February 7, 2001 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 Clifford N. Stygles, 11600 J-B Road, Black Hawk SD 57718 (Ph # 605-787-4057) or PO Box 1169, Black Canyon City AZ 85324.

**Please send the Water Rights Program the first publication immediately.** The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

~~After the second publication, please send us an affidavit or use the enclosed Proof of Publication form.~~ The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures

-----CUT HERE-----

No. 1740-1 and 1741-1

TO: Eric Gronlund  
Water Rights Program  
Joe Foss Building  
Pierre SD 57501-3181

Date \_\_\_\_\_

We are in receipt of your letter of January 29, 2001 enclosing Notice of Hearing to Appropriate Water by Application Nos. 1740-1 and 1741-1 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 February 7, 2001 with the second publication 7 days later. The applicant is responsible for payment.

---

NOTICE OF APPLICATION NO. 1740-1 and 1741-1 to Appropriate Water

Notice is given that Clifford N Stygles, 11600 J-B Road, Black Hawk SD 57718 has filed the following applications for a water permit. Application No. 1740-1 requests 0.10 cubic feet of water per second (cfs) (45 gallons per minute) from one well (Minnelusa Formation) 806 feet deep located in the SE ¼ NE ¼ Section 25-T3N-R6E. The water is for suburban housing development use at the Rendezvous Ranch Subdivision.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 1740-1 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.

Application No. 1741-1 requests 0.10 cfs (45 gallons per minute) from one well (Madison Formation) 1180 feet deep located in the SE ¼ NE ¼ Section 25-T3N-R6E. The water is for suburban housing development use at the Rendezvous Ranch Subdivision.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1741-1 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.

~~In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a~~ petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the applications or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications 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 February 26, 2001.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Form 8

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County of Meade ) SS

I, Joan M. Lewis

certify that the attached printed Notice was taken

from the Meade County Times

printed and published in Sturgis

County of Meade and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Feb. 7, 2001

Feb. 14, 2001

Cost of Printing 52.47

Joan M. Lewis  
(Signature)

Bookkeeper  
(Title)

2-13-01  
(Date Signed)



## Water application

### NOTICE OF APPLICATION

NO. 1740-1 and 1741-1

to Appropriate Water

Notice is given that Clifford N. Stygles, 11800 J-B Road, Black Hawk SD 57718 has filed the following applications for a water permit. Application No. 1740-1 requests 0.10 cubic feet of water per second (cfs) (45 gallons per minute) from one well (Minnelusa Formation) 806 feet deep located in the SE 1/4 NE 1/4 Section 25-T3N-R6E. The water is for suburban housing development use at the Rendezvous Ranch Subdivision.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 1740-1 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.

Application No. 1741-1 requests 0.10 cfs (45 gallons per minute) from one well (Madison Formation) 1180 feet deep located in the SE 1/4 NE 1/4 Section 25-T3N-R6E. The water is for suburban housing development use at the Rendezvous Ranch Subdivision.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1741-1 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.

In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the applications or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications 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 February 26, 2001.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications. Steven M. Pimer, Secretary, Department of Environment and Natural Resources.

Publ Feb. 7 and 14, 2001  
Meade County Times-Tribune



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

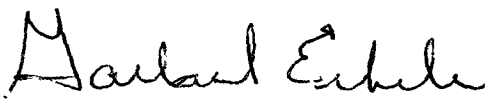
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 1741-1, Clifford N. Stygles**

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. 1741-1, Clifford Stygles, 11600 J-B Road, Black Hawk SD 57718.

The Chief Engineer is recommending APPROVAL of Application No. 1741-1 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. 1741-1 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. 1741-1 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 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.

  
Garland Erbele, Chief Engineer

WATER PERMIT APPLICATION NO. 1741-1  
CLIFFORD N. STYGLES  
DECEMBER 28, 2000

Water Permit Application No. 1741-1 proposes to appropriate 0.10 cubic feet of water per second (45 gallons per minute) from one well (Madison Formation) 1180 feet deep located in the SE¼ NE¼ Sec.25, T3N-R6E, Meade County. The water is for suburban housing development use at the Rendezvous Ranch Subdivision.

**AQUIFER:** Madison Aquifer (MDSN)

**General Information:**

The Madison aquifer is a massive, carbonate (limestone and dolomite) aquifer, which underlies most of western South Dakota. It is estimated that the aquifer contains at least 640 million acre-feet of recoverable water in storage in the State (Allen, 1984). The importance of the Madison as an aquifer is largely due to randomly distributed zones of secondary porosity and permeability formed by weathering of exposed surfaces, groundwater solution and fracturing. These zones also play an important role in determining the hydraulic behavior of the Madison aquifer system and the response of the system to stress. Recharge to the Madison aquifer occurs through streamflow losses and direct infiltration of precipitation at the outcrop area. Recharge for the entire Madison Aquifer in South Dakota has been estimated to range from 140,000 to 400,000 acre-feet per year (Woodward Clyde, 1981).

The Madison outcrop is located approximately two miles west of this well site (Darton, 1925), but the top of the aquifer is reported to be approximately 1085 feet below ground surface in this existing well. The Madison is estimated to be approximately 500 feet thick in this area (Carter, 1999, Carter 1999<sub>b</sub>). The Madison is generally considered an excellent aquifer both in terms of quality and quantity, near the outcrop (recharge area). The static water level is reported to be 100 feet below grade at this well site and the well reportedly produces 35-40 gallons per minute when developed with air.

The Water Rights Program monitors 26 observation wells completed into the Madison aquifer. A Madison observation well (MD-94A) is located approximately three and one half miles northwest of this site near Piedmont. Records from the observation wells (Water Rights, 2000<sub>b</sub>) indicate the potentiometric surface of the aquifer fluctuates 30-40 feet per year near the recharge area, in response to seasonal and climatic variations. Observation well data suggest that at the existing level of development, natural influences dominate the water level of the aquifer and the effects of pumping as yet are not obvious.

**AFFECTS ON EXISTING RIGHTS:**

This well is located within five miles of 59 Water Rights/Permits appropriating groundwater (Water Rights, 2000<sub>c</sub>). The source of water for area appropriations includes: *aquifer(number of rights/permits)*, Alluvium(2), Inyan Kara(4), Spearfish(1), Minnekahta(3), Minnelusa(39), Madison(8), and Deadwood(2). There are a number of wells completed into Minnelusa aquifer in this area. With the possible exception of the Minnelusa aquifer, withdrawals from the Madison are

not likely to affect other aquifers in the area. Testimony was presented in opposition to Water Permit No. 1569-1, a Madison appropriation approximately one and one-half miles from this well, that pumping the Madison aquifer may affect nearby wells completed into the Minnelusa aquifer (Water Rights, 1993). The extent of hydrologic connection between the Madison and Minnelusa Aquifers is unclear and is arguable. In general, the potentiometric surfaces (water levels) suggest a potential for leakage from the Madison aquifer to the Minnelusa aquifer. If leakage is significant, drawdown in the Madison could cause decreased leakage and consequently lower water levels in the Minnelusa aquifer. For the most part the Madison and Minnelusa Aquifers are "hydraulically distinct units".

Since the Madison is under artesian conditions in this area, pumping may cause a decline in the potentiometric surface over fairly widespread areas. The well this application proposes to use is located near domestic wells that are supplied by the Madison aquifer (Water Rights, 2000<sub>a</sub>). The nearest existing appropriation from the Madison aquifer is Water Permit No. 1569-1, Indian Hills No. 4, located one and one-half miles northwest of this well. Any influence this proposed use would have on existing water rights/permits is not expected to be adverse, due to the distance between wells and the relatively low pumping rate of this well.

#### **TERM LIMITATION:**

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

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

Evidence is not available to justify issuing this permit without a term limitation of 20 years.

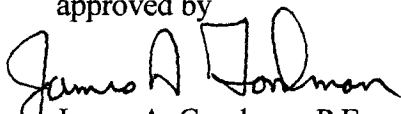
#### **CONCLUSIONS:**

1. The Madison Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. Well interference should not be a problem in this area.
3. Adverse impacts on area water levels, due to this increased appropriation from the Madison Aquifer are not expected.
4. Information is not available to justify issuing this permit without a term limitation of 20 years.



Ken Buhler  
Natural Resources Engineer

approved by



James A. Goodman, P.E.  
Natural Resources Engineer

#### REFERENCES:

Allen, J.C., D.Iles, A.Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3 & 4: Groundwater Resources Inventory, US Army Corp of Engineers Contract DAWC 45-82-C-015, SD DENR-Division of Geological Survey, Vermillion SD

Carter, J.M., Redden, J.A., 1999<sub>a</sub>, Altitude of the Top of the Madison Limestone in the Black Hills Area, South Dakota, Hydrologic Investigations Atlas HA-744-D, U.S. Department of the Interior, U.S. Geological Survey

Carter, J.M., Redden, J.A., 1999<sub>a</sub>, Altitude of the Top of the Deadwood Formation in the Black Hills Area, South Dakota, Hydrologic Investigations Atlas HA-744-E, U.S. Department of the Interior, U.S. Geological Survey

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

Water Rights Program, 1993, "Water Permit File 1569-3", South Dakota DENR-Water Rights Program, Joe Foss Building, Pierre, SD

Water Rights Program, 2000<sub>a</sub>, "Domestic Well Log Files", DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights Program, 2000<sub>b</sub>, "Observation Well Files ", DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights Program, 2000<sub>c</sub>, "Water Permit Files", DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Woodward Clyde Consultants, 1981, Well Field Hydrology Technical Report, for the ETSI Coal Slurry Pipeline Project, U.S. Dept. of Interior, Bureau of Land Management



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

MAR 13 2001

Clifford N. Stygles  
11600 J-B Road  
Black Hawk, SD 57718

Dear Mr. Stygles:

Enclosed is Water Permit No. 1741-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

GUNDERSON, PALMER, GOODSSELL & NELSON, LLP

ATTORNEYS AT LAW

WYNN A. GUNDERSON  
J. CRISMAN PALMER  
G. VERNE GOODSSELL  
JAMES S. NELSON  
DANIEL E. ASHMORE  
TERENCE R. QUINN  
DONALD P. KNUDSEN  
PATRICK G. GOETZINGER  
TALBOT J. WIECZOREK

AMERICAN MEMORIAL LIFE BUILDING  
440 MT. RUSHMORE ROAD  
POST OFFICE BOX 8045  
RAPID CITY, SOUTH DAKOTA 57709-8045  
TELEPHONE (605) 342-1078 • FAX (605) 342-0480

MARK J. CONNOT  
JENNIFER K. TRUCANO  
MARTY J. JACKLEY  
DAVID E. LUST  
THOMAS E. SIMMONS  
TERRI LEE WILLIAMS  
PAMELA SNYDER-VARNS  
SARA FRANKENSTEIN

ATTORNEYS LICENSED TO PRACTICE IN  
SOUTH DAKOTA, NORTH DAKOTA, NEBRASKA  
MONTANA, WYOMING, MINNESOTA

July 11, 2003

RECEIVED

JUL 14 2003

WATER RIGHTS  
PROGRAM

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

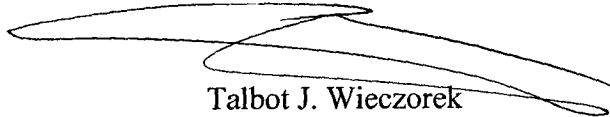
RE: Rendezvous Ranch Subdivision Community Association  
GPGN File No. 020865

To Whom It May Concern:

Enclosed please find a Notice of Transfer of Ownership of two Water Rights/Permits.  
One transfers the Water Right/Permit #1740-1 and the other for Water Right/Permit #1741-1.

Also enclosed please find a check in the amount of \$5.00 for the \$2.50 filing fee for each  
transfer as required by SDCL 46-2-13. If you need anything from Rendezvous Ranch  
Subdivision Community Association to complete the transfers, please call me.

Sincerely,



Talbot J. Wieczorek

TJW:klw

Enclosures

c: Matt Shaske, President of Rendezvous Ranch Subdivision Community Association  
Clifford N. Stygles

RECEIVED

JUL 14 2003

WATER RIGHTS  
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 1741-1

Date: 7-11-03

I/We request that Water Right/Permit No. 1741-1 formerly owned by:

Clifford N. Stygles

be transferred to:

New Owner Name: Rendezvous Ranch Subdivision Community Association

Address: PO Box 542

City, State, Zip Piedmont, SD 57769

Telephone No. 605-787-5574

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

One well (Madison Formation) 1180 feet deep located in the SE1/4NE1/4  
Section 25-T3N-R6E

☒ I understand that the validity of Water Right/Permit No. 1741-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.**

I, Rendezvous Ranch Subdiv. Comm. Assoc. the new owner, certify that the above information is true and correct.

RENDEZVOUS RANCH SUBDIVISION COMMUNITY ASSOC.

BY: Matt Shaske, President

Matt Shaske Pres.

(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 July 14, 20 03

RECEIVED OF Gunderson, Palmer, Goodsell & Nelson, PO Box 8045, Rapid City SD 57709

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>1741-1</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. _____                                         |       |      |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |      |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 2.50 |

No. 000028

By Darland Ebel  
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](http://www.state.sd.us/denr)

July 17, 2003

1740-1  
1741-1

Talbot J Wieczorek  
Gunderson, Palmer, Goodsell & Nelson LLP  
PO Box 8045  
Rapid City SD 57709-8045

Dear Mr. Wieczorek:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and filing fees you submitted for transferring Water Permit Nos. 1740-1 and 1741-1. The transfers have been completed. The water permits formerly listed in the name of Clifford N Stygles are now listed in the name of **"Rendezvous Ranch Subdivision Community Association"**.

Enclosed are your Receipt Nos. 000828 and 000829 in the amounts of \$2.50 each. 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](mailto:genny.mcmath@state.sd.us)

enclosures

c: Matt Shaske, President, Rendezvous Ranch Subdivision Community Association



**B. Compliance with Permit Requirements:**

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA
- 3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows:

**Approximately 2320 feet south and 475 west of the NE corner of Section 25-T3N-R6E**

**(N 44.19189, W -103.33410) (SE ¼ NE ¼)**

The works are capable of diverting and conveying to the place of use 0.089 cu. ft. per second of which is to be used for **Suburban Housing Development**.

The license should be issued for 0.089 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project:



Mike DeFea

Natural Resources Project Engineer  
DENR, Water Rights Program

Date report completed: **December 3, 2009**

# Water Permit No. 1740-1 and 1741-1

Rendezvous Ranch  
11600 J-B Rd  
Black Hawk, SD 57718



*Mike DeFea*

Mike DeFea  
Natural Resources Engineer  
DENR, Water Rights Program  
December 3, 2009

0 420 840 1,680 2,520 3,360 Feet



*South Dakota*  
Department of Environment  
& Natural Resources  
Protecting SD's Tomorrow... Today



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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[www.state.sd.us/denr](http://www.state.sd.us/denr)

APR 13 2010

1740-1  
1741-1

Rendezvous Ranch Subdivision  
PO Box 12  
Black Hawk SD 57718-0012

Dear Sir:

Enclosed are Water License Nos. 1740-1 and 1741-1. These are the final water right documents completing your process of obtaining a Water Right. Included with the licenses is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 1740-1 and 1741-1, 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

enclosures

# STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 1741-1

(1) Clifford N Stygles, Black Hawk SD made Application No. 1741-1, July 3, 2000 for a water permit to divert 0.10 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for suburban housing development purposes. Permit No. 1741-1, with a priority date of December 12, 2000 was approved February 26, 2001 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 25, 2006 and for the application to beneficial use of water on or before February 25, 2010.

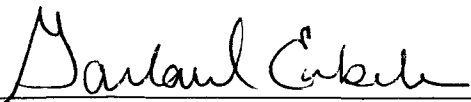
On July 14, 2003, Water Permit No. 1741-1 was transferred to Rendezvous Ranch Subdivision Community Association, PO Box 12, Blackhawk SD 57718-0012.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 1741-1 is issued a license, bearing a priority date of December 12, 2000 to appropriate 0.089 cubic feet of water per second from groundwater (one well) for suburban housing development use.

The diversion point is located: approximately 2,320 feet south and 475 feet west of the northeast corner of Section 25-T3N-R6E (SE ¼ NE ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1741-1 including the following now applicable qualifications:

- In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1741-1 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. 1741-1 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1, and Board Rule ARSD 74:02:01:37.
- The well 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.

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

APR 13 2010  
date

