

WATER PERMIT NO. 1777-1

Name of Applicant: Valhalla Addition, c/o Mark Thuringer

Address: 12311 Valhalla Dr., Sturgis SD 57785 Phone: 605 347-5558

Amount of Water Claimed: 0.222 cfs Total Acres: NA

Source of Water Supply: groundwater (2 wells)

Water to be used for: suburban housing development County: Lawrence

Type of Waste Disposal System:

Location: 2 miles west of Sturgis

PRIORITY Date Received: 7-15-2002

Application/License Fee: \$275

Corrected Application Received: 8-6-2002

Period of Annual Use: Jan 1 – Dec 31

Remarks:

Diversion Point: W ½ SW ¼ Sec 13-T5N-R4E

Sanders Subdivision (Lot S-3)

Land to be Irrigated: NA

Depth of Well: 550 and 290 feet deep

Well Driller: : _

Remarks:

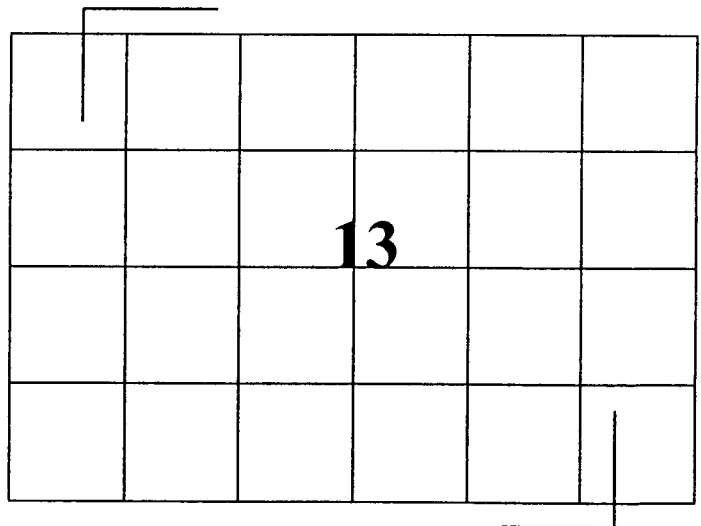
Type of Map: plat

Prepared by: Merick D. Giegear, RLS

Reviewed and the Number Assigned on: 8-6-2002

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



SOUTH DAKOTA
WATER PERMIT NO. 1777-1

Date of first receipt of application July 15, 2002.

Date of return to applicant for corrections, amendments or changes July 15, 2002.

Date of receipt of corrected application August 6, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1777-1 to Valhalla Addition, c/o Mark Thuringer, 12311 Valhalla Drive, Sturgis SD 57785 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1777-1 appropriates 0.222 cubic feet of water per second from two wells (Madison Formation) 290 and 550 feet deep located in the W ½ SW ¼ Section 13-T5N-R4E (Lot S-3 Sanders Subdivision).
2. The water appropriated shall be used for the purpose of supplying a suburban housing development 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. 1777-1 is November 18, 2002.
5. The date from which applicant may claim right is July 15, 2002.
6. One-fifth of the construction is to be completed on or before May 18, 2005.
7. All construction is to be completed on or before November 18, 2007.
8. Water is to be put to beneficial use on or before November 18, 2011.
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. 1777-1 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. 1777-1 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 wells 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.
3. The new well authorized by Permit No. 1777-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

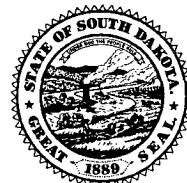
WATER MANAGEMENT BOARD

By: Garland Erbele

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

DEC 20 2002

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	No. <u>1777-1</u> (office use only) Hydrologic Unit <u>10120202</u>
	Basin <u>Belle Fourche River</u>
	Newspaper <u>Black Hills Pioneer, PO Box 7, Spearfish</u>

RECEIVED

JUL 15 2002

WATER RIGHTS
PROGRAM

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.)

for Valhalla Addition New well

1. Name of Applicant Valhalla Addition Mark Thuringer Phone H-347-5558
(check one) ☒ Owner ☐ Tenant/lessee W-719-8003

Mailing Address 12311 Valhalla Drive Spearfish State SD 57185
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed 0.222 *CFS or 100 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Madison Aquifer

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
2 wells - Sanders St. W1/2 SW1/4 13-5-11 (Lot S-3)
County Lawrence

5. County or counties where water will be used Lawrence

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

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

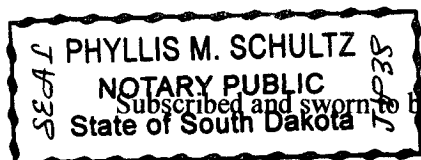
To Drill a new well for the housing development.
See attached estimate from well driller

STATE OF SOUTH DAKOTA)

County of Lawrence SS

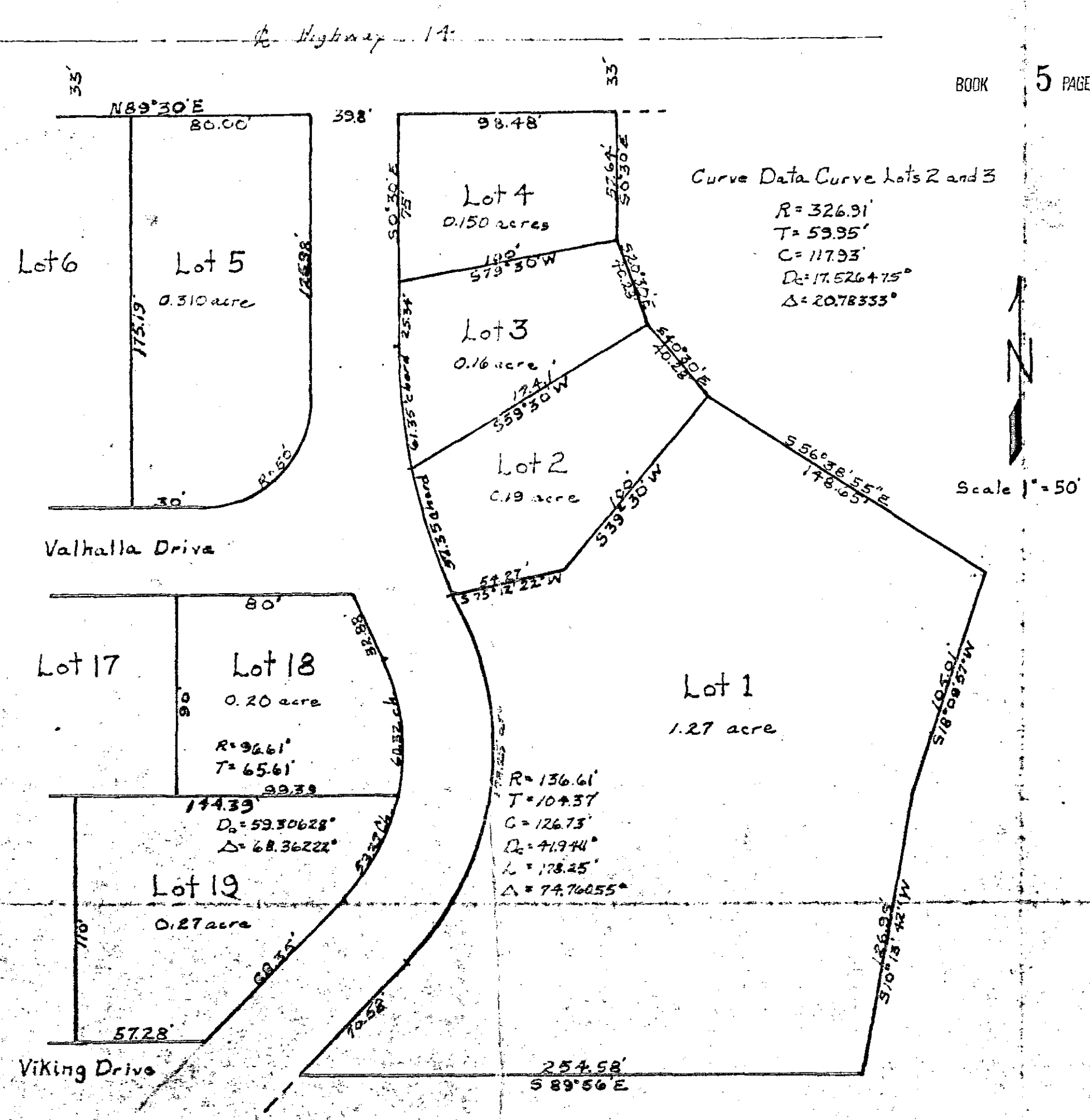
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Mark Thuringer, 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 Mark Thuringer
Subscribed and sworn to before me this 25th day of July 2002

Phyllis M. Schultz
Notary Public Signature



Replat of
Lots 1, 2, 3, 5, 18, & 19, Valhalla Addition
a portion of the W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 13, T5N, R4E, B.H.M., Lawr. Co.,
South Dakota

SURVEYOR'S CERTIFICATE
I, Meric D. Giegar, Registered Land Surveyor do hereby certify that this plat was made from an actual field survey, and that to the best of my knowledge and belief, it correctly represents the lands involved, their dimensions and the monumenting thereof as requested by the owner, true and correct as shown.
In Witness whereof I have hereunto set my hand and official seal.

Meric D. Giegar
Registered Land Surveyor # 1007

ACKNOWLEDGEMENT OF SURVEYOR
Be it remembered that on this 30th of September, 1969, before me, the undersigned, a Notary Public, personally appeared Meric D. Giegar, known to me to be the person whose name is affixed to the foregoing certificate.
My commission expires Aug. 9, 1971.

Erika Giegar
Notary Public

OWNER'S CERTIFICATE
We, Clifford E. Sanders, owners of the land herein described as Lots 1, 2, 3, 5, 18 & 19, Valhalla Addition a portion of the W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 13, T5N, R4E, B.H.M., Lawr. Co., South Dakota, do hereby certify that we approve the included survey and plat.
In Witness our hands this 30th day of Sept., 1969.

Clifford E. Sanders
Mabel E. Sanders

ACKNOWLEDGEMENT OF OWNERS
Be it remembered, that on this 30th day of Sept., 1969, before me, the undersigned, a Notary Public, personally appeared Clifford E. Sanders and Mabel E. Sanders owners of the lands herein described.
My Commission expires Aug 3, 1972.

Erika Giegar
Notary Public

CERTIFICATE OF COUNTY TREASURER
STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE
I, *Louise Millison* County Treasurer of Lawrence County, do hereby certify that all taxes which are liens upon the lands as shown by receipts of my office, have been paid to date. Date: 11-12-69

Louise Millison
County Treasurer

241370
OFFICE OF THE REGISTER OF DEEDS
STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE
Filed for record this 21 day of Nov., 1969, at 1:15 o'clock P.M. and recorded in book 5 of plats on page 206 therein.
See 112

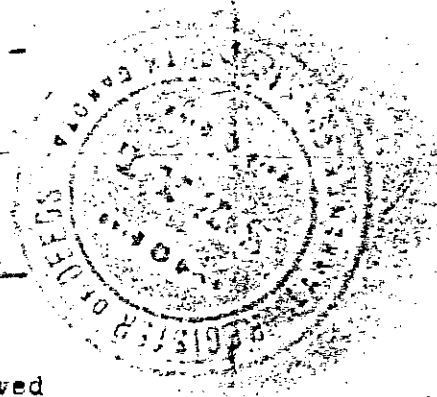
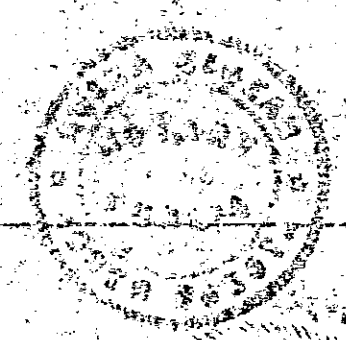
James J. Foreman
Register of Deeds

OFFICE OF THE DIRECTOR OF EQUALIZATION
STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE
I, *Morris J. Johnson* Director of Equalization, hereby certify that I have received a copy of this plat.

Morris J. Johnson
Director of Equalization

LAWRENCE COUNTY COMMISSIONERS
We, the undersigned, as authorized representatives of Lawrence County Commissioners, do approve this Plat.
Date: November 12, 1969

Walter D. Furr
R. G. Schult
John G. Fager
Carlton O. Ginder
Mary Lecker



DRAWING NUMBER
78-134

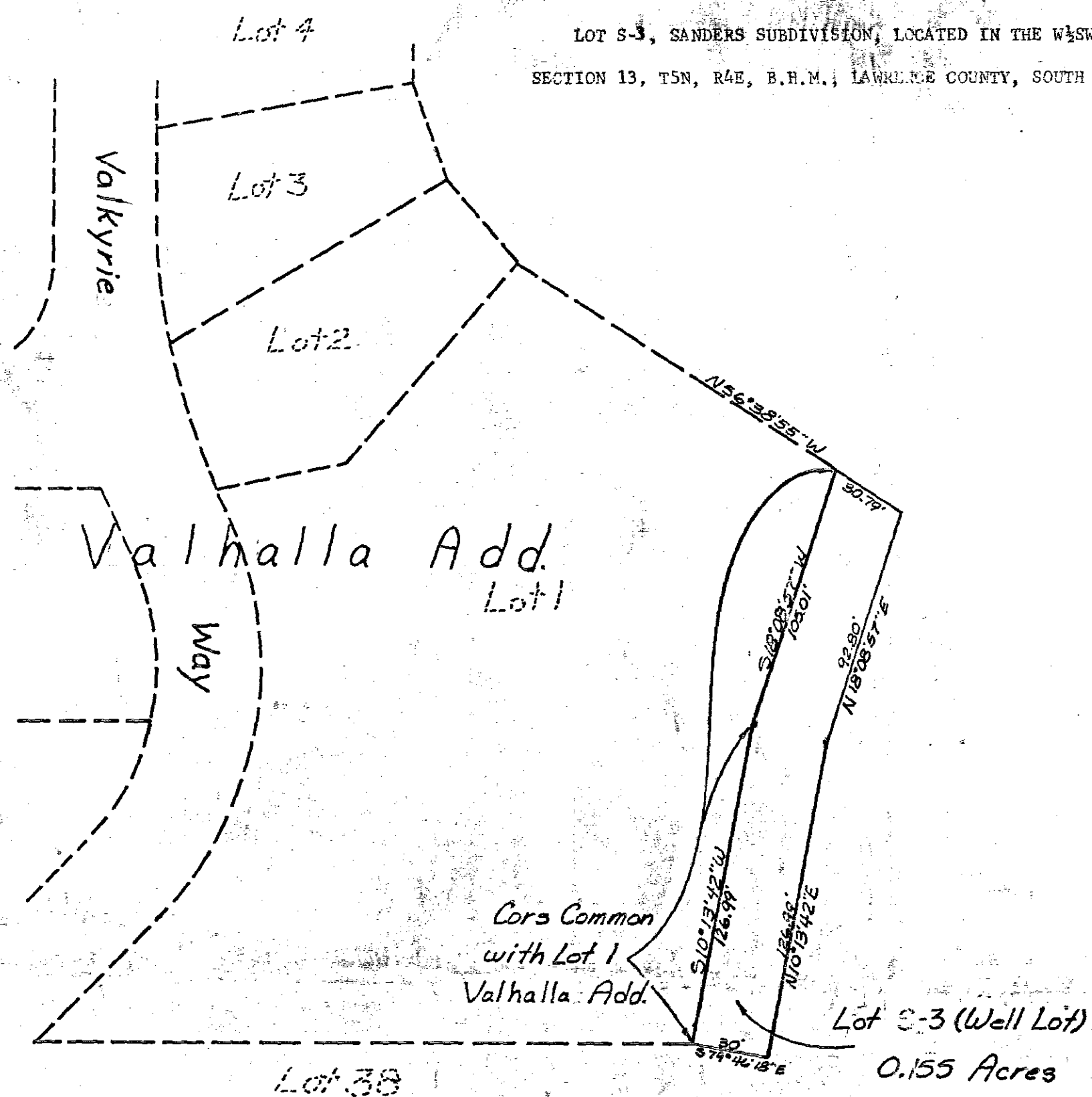
PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
REORDER BY NUMBER 075AR
POSITION EDGE OF PRINT ON THIS LINE

DRAWING NUMBER
78-134

PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
REORDER BY NUMBER 075AR
POSITION EDGE OF PRINT ON THIS LINE

PLAT OF

LOT S-3, SANDERS SUBDIVISION, LOCATED IN THE W $\frac{1}{2}$ SW $\frac{1}{4}$,
SECTION 13, T5N, R4E, B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA



SURVEYOR'S CERTIFICATE
I, Meric D. Giegar, Registered Land Surveyor #1007, do hereby certify that this plat was made from notes taken during an actual field survey and that to the best of my knowledge and belief it correctly represents the lands involved, their dimensions and the monumenting thereof as requested by the owner.
In Witness Whereof I have hereunto set my hand and official seal.

Meric D. Giegar
Registered Land Surveyor #1007

ACKNOWLEDGEMENT OF THE SURVEYOR
Be it remembered that on this 22nd day of Nov., 1977, before me, the undersigned, a Notary Public, personally appeared Meric D. Giegar, known to me to be the person whose name is affixed to the foregoing certificate. My Commission Expires August 10, 1981.

Erika Giegar
Notary Public

OWNER(S) CERTIFICATE
I, (W) Clifford H. Sanders, owner(s) of the lands herein described as Lot S-3, Sanders Subdivision, Located in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 13, T5N, R4E, B.H.M., Lawrence County, South Dakota, do hereby approve this plat.

Clifford H. Sanders
Owner(s)

ACKNOWLEDGEMENT OF THE OWNER(S)
Be it remembered that on this 10th day of December, 1977, before me, the undersigned, a Notary Public, personally appeared Clifford H. Sanders, known to me to be the owner(s) of the lands herein described. My Commission Expires August 10, 1981.

Erika Giegar
Notary Public

CERTIFICATE OF THE COUNTY TREASURER
STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE
I, Evelyn Cossitt, County Treasurer of Lawrence County, do hereby certify that all taxes which are liens upon the lands included in this plat have been fully paid to date. DATE *11/22/77*

Virginia Roberts
County Treasurer

OFFICE OF THE DIRECTOR OF EQUALIZATION
STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE
I, *Howard Hanson*, Director of Equalization, do hereby certify that I have received a copy of this plat.

Marie Farnsworth
Director of Equalization

OFFICE OF THE PLANNING COMMISSION
STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE
Approved by the Lawrence County Planning Commission this 10th day of January, 1978.

Stanley E. Selway
Chairman: Planning Commission
Donald E. Jack
Secretary

ATTEST:

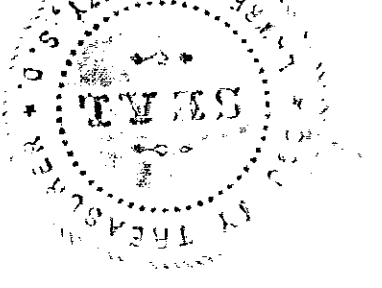
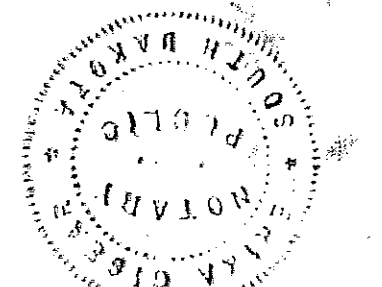
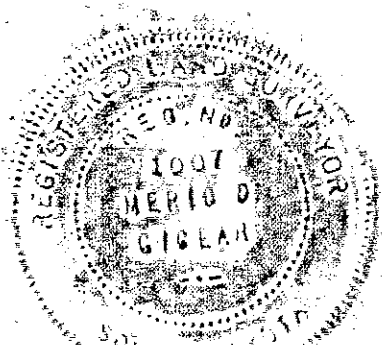
LAWRENCE COUNTY COMMISSIONERS
STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE
We the undersigned, as authorized representatives of the Lawrence County Commissioners do hereby approve this plat.

John C. Corley
Chairman: County Commissioners
Agnes Agnes
Lawrence County Auditor

ATTEST:

OFFICE OF THE REGISTER OF DEEDS
STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE
Filed for record this 12 day of Jan., 1978, at 3:00'clock P.M. and recorded as Document # 78-134.

Yvonne Foreman
Register of Deeds



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 3/4" Depth 550'
- b) Casing Type Steel Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property 15-20 feet On property owned by others 25-50 mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

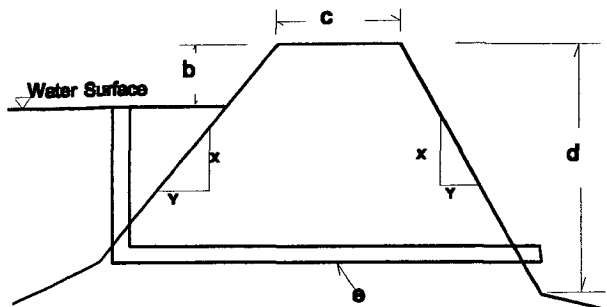
3. Dugout Information

- 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

NR 417223

Pierre, July 15, 2002

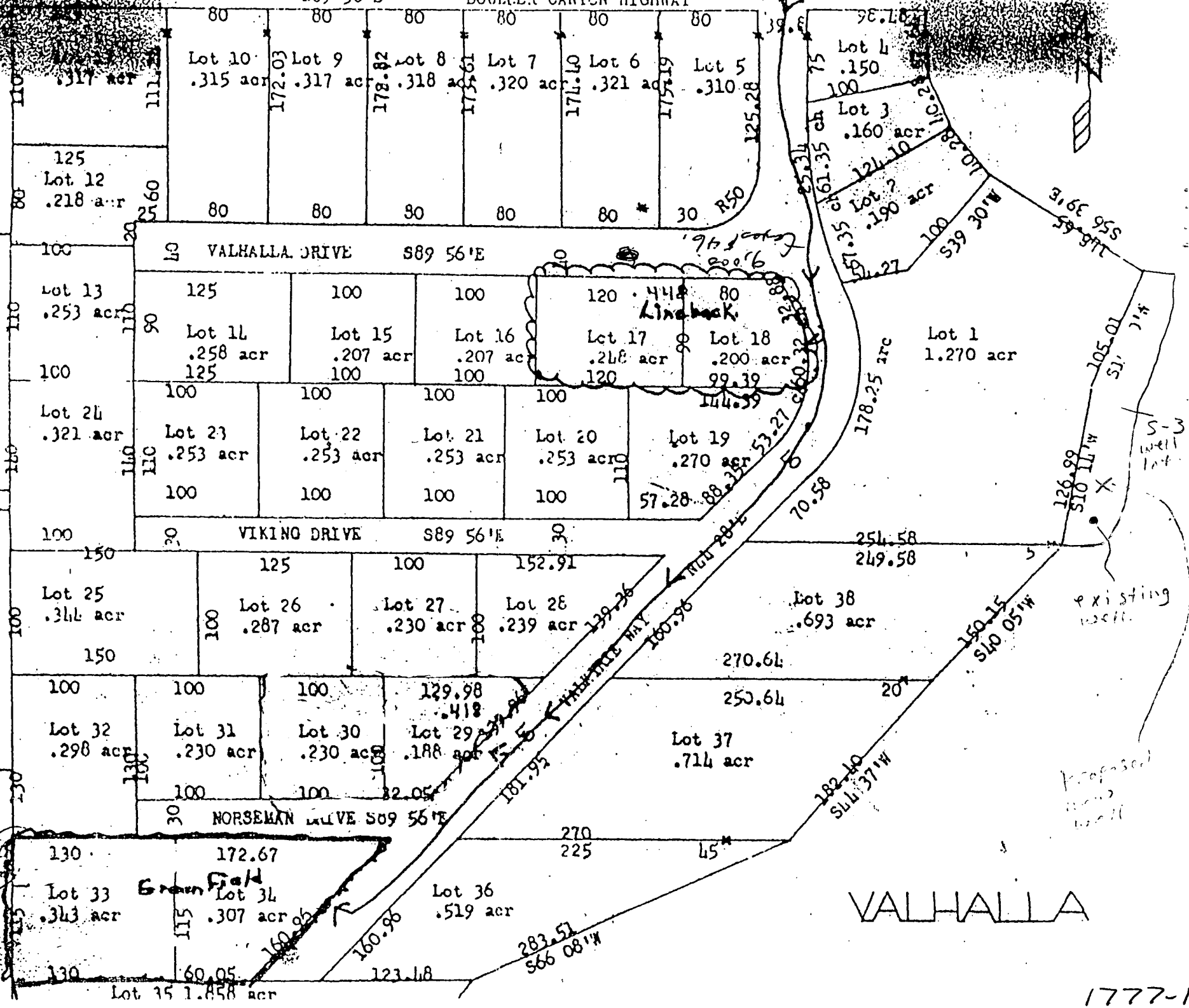
RECEIVED OF Valhalla Addition Water Company, 12311 Valhalla Dr., Sturgis SD 57785
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1777-1</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1777-1</u> _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	275 00

By

Darland Eide
Chief Engineer gm



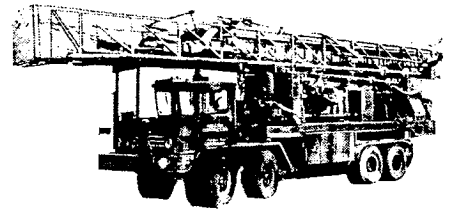
CIMARRON DRILLING

WATER WELLS - TEST HOLES - CATHODIC - PUMPS
PUMP SERVICE - SHALLOW PRODUCTION

9017 S. RIDGE TRAIL

STURGIS, SD 57785

605-347-3071



RECEIVED

JUL 15 2002

WATER RIGHTS
PROGRAM

To VALLA HALLA Water:

This quote is for a approximately
500' WATER well cased with NEW 7" STEEL CASING, CROUTED & developed to
S.D. WELL STANDARDS.

The cost is 25.00 per foot for a
Total of \$ 12,500.00

A 10 HP - 80 GPM - 3PHASE Pump.
set at 460' on 2" galvanized pipe
with 3PHASE ^{460V} STARTER will RUN APPROX.
\$6,000.00 with Installation.

2% S.D. EXCISE TAX IS \$370.00

GRAND TOTAL \$18,870.00

Respectfully Submitted
M. J. D. DENTON

FIRST PAYMENT
Delinquent After April 30th
2002

18300-00504-133-20
DUE 47.38

NOTICE OF PROPERTY TAXES DUE
LAWRENCE COUNTY TREASURER
P.O. BOX 394, DEADWOOD, SD 57732-0394

YOUR CANCELLED CHECK IS YOUR RECEIPT

TAX YEAR: 2001

TAXES PAYABLE IN: 2002

LOT S-3 (WELL LOT)

SANDERS S/D W 1/2 13-5-4 ACRES

0.16

CHECK THE BOX IF YOU
RECEIPT MAILED TO YOU ☐
PLEASE RETURN THIS STUB WITH YOUR
FIRST PAYMENT

SECOND PAYMENT
Delinquent After October 31st

2002

18300-00504-133-20
DUE 0.00

TAX INCREMENT FINANCE:

PARCEL: 18300-00504-133-20

TOTAL TAX DUE: 47.38

ENTITY	VALUE	LEVY	TAX	ENTITY	VALUE	LEVY	TAX
COUNTY	1,928	0.00630	12.18	SCHOOL AG	0	0.00821	0.00
WATER DIST	1,928	0.00000	0.00	SCHOOL NA	1,928	0.01825	35.20
SAN DIST	1,928	0.00000	0.00	SCHOOL OO	0	0.01071	0.00
CITY/TWNP	1,928	0.00000	0.00	SCHOOL NAZ	0	0.00922	0.00
FIRE DIST	1,928	0.00000	0.00	*SCH OPT AG			
*OPT CITY/TWNP				*SCH OPT NA			
*OPT COUNTY				*SCH OPT OO			
*OPT OTHER				*SCH OPT NAZ			

INDICATES A LOCAL DECISION TO OPT OUT OF THE TAX FREEZE. If the local vote to increase taxes hadn't been passed, your taxes wouldn't have included the items marked with an asterisk ()

VALHALLA ADDN WATER CO.
C/O THURUNGER, MARILYN
12311 VALHALLA DR
STURGIS SD 57785

57785X5517 55



CHECK THE BOX IF YOU
RECEIPT MAILED TO YOU ☐
PLEASE RETURN THIS STUB WITH YOUR
SECOND PAYMENT



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Mark Thuringer
Valhalla Addition
12311 Valhalla Drive
Sturgis SD 57785

Dear Mr. Thuringer:

Thank you for submitting the *Application for a Permit to Appropriate Water* for Valhalla Addition. In order to complete the application the following is required.

The application is being returned because it must be signed and notarized (bottom portion of application). On Form 2A, Supplement Information, please complete Item 2. Wastewater Disposal System Information.

The map is being returned. The map needs to show the location of the well in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).

Also, the map indicates there is an existing well. I have reviewed our files and cannot find a permit for the existing well. If you have some information regarding a permit for the existing well, please let me know. If not, the existing well and the amount of water appropriated (gallons per minute) from the well should be included on this permit application.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

D.E.N.R.
523 East Capitol
Pierre S.D. 57501-3182

July 30, 2002

RECEIVED

AUG - 6 2002

WATER RIGHTS
PROGRAM

Dear Karen:

In reply to the letter I received from you dated July 15, 2002, please find enclosed Form 2A, which is notarized.

Also find enclosed a copy of the map of the entire development.
Which give the location as you specified.

Also in reference to the existing well, I have no files on that but the history that I have is that is was drilled when the development was started, 1972. The existing well is 290 feet deep, 5-inch steel casing, and the pump that is in it is 25 gallon per minute.

If you have any other questions please feel free to write or you may call my work number is 719-8003, home is 347-5558. E-mail is mmthuringer@dtgnet.com

Thank you for your assistance in this matter.

Mark Thuringer

WATER PERMIT APPLICATION NO. 1777-1
VALHALLA ADDITION
MARK THURINGER
OCTOBER 4, 2002

Water Permit Application No. 1777-1 proposes to appropriate 0.222 cubic feet of water per second (cfs) from two wells (Madison aquifer) 290 and 550 feet deep located in the W½ SW¼ Sec. 13, T5N-R4E (Lot S-3 Sanders Subdivision). The water will be used for a suburban housing development.

AQUIFER: Madison (MDSN)

GENERAL:

The Madison aquifer

WATER AVAILABILITY:

The availability of unappropriated water from an aquifer can be evaluated by considering SDCL 46-6-3.1. This statute requires that an application to appropriate groundwater can not be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of average estimated annual recharge.

The Madison (Pahasapa) Limestone is a massive limestone and dolomite that underlies much of the Western United States. In this area the Madison Limestone is estimated to be 400-500 feet thick (Carter and Redden, 1999a) and (Carter and Redden, 1999b). The top portion of the Madison Limestone contains randomly distributed zones of secondary porosity and permeability formed by weathering of exposed surfaces, groundwater solution and fracturing, and is considered the Madison aquifer. The Madison is generally considered an excellent aquifer both in terms of quality and quantity, especially near the outcrop (recharge area). The aquifer underlies approximately 30,000 square miles of western South Dakota and contains at least 640 million acre-feet of recoverable water in storage in the State (Allen and others, 1984). The well sites proposed by this permit are located within two miles of the Madison outcrop (recharge area). The top of the Madison Limestone is expected to be approximately 190 feet below grade at this site (Carter and Redden, 1999a). The static water level of a Madison aquifer well is expected to be approximately 190 feet below grade at this site (Strobel and others, 2000).

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). Average annual recharge from 1931-1998 is estimated to be approximately 137,000 ac-ft/yr (Carter and others, 2001a).

The Water Rights Program monitors 26 observation wells completed into the Madison aquifer in the Black Hills area. This well site is located within approximately three miles of three Water Rights' Observation wells that are completed into the Madison aquifer, (LA-

96D, LA-90A, and MD-86A). Hydrographs for the wells show the aquifer's response to climatic conditions, clearly demonstrate the system is recharged, and that for the period of record withdrawals have not exceeded recharge (see figures 1-3). Long term water-level declines are not apparent from hydrographs of any of the Madison aquifer observation wells. The observation well data suggests that at the existing level of development, the aquifer is capable of sustaining additional withdrawals.

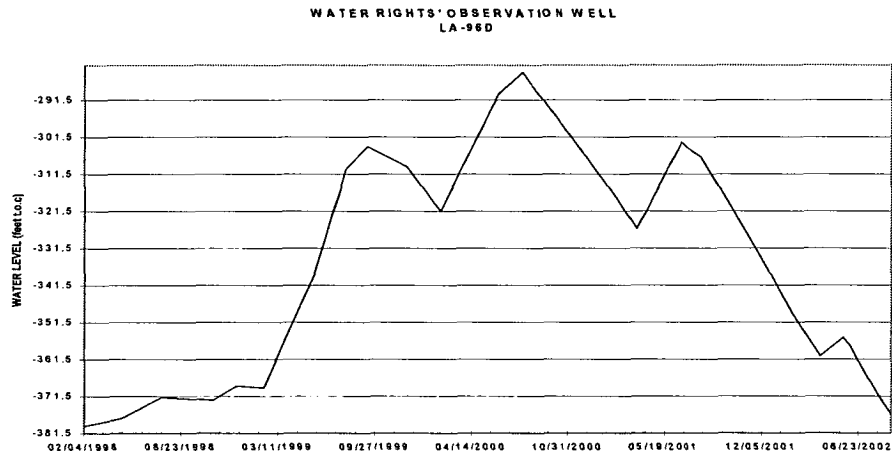


Figure 1. Hydrograph of Water Right's Observation Well LA-96D located approximately one and one-half miles southwest of this well site

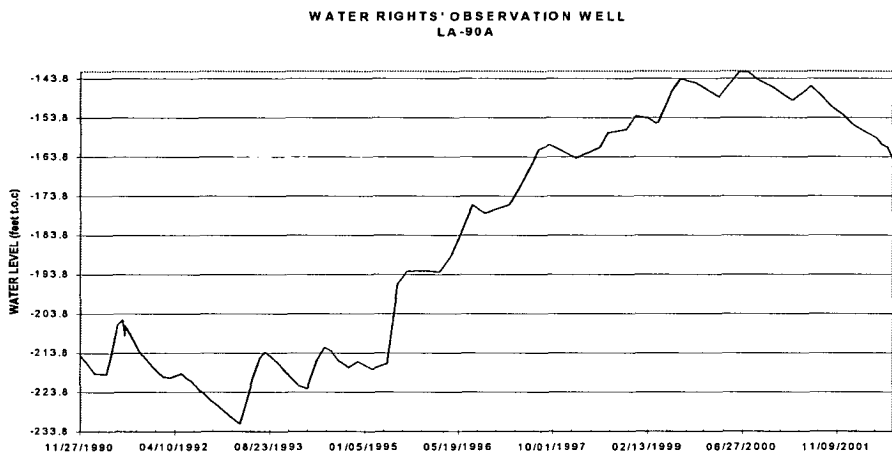


Figure 2. Hydrograph of Water Right's Observation Well LA-90A located approximately two and one-half miles north of this well site

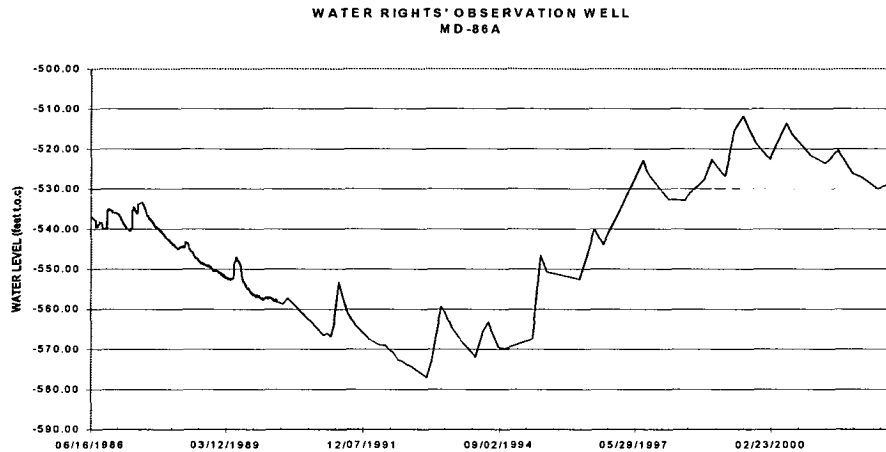


Figure 3. Hydrograph of Water Right's Observation Well MD-86A located approximately three and one-half miles east of this well site

There are 143 Water Rights/Permits that appropriate water from the aquifer in South Dakota. There are 23 permits/rights appropriating water from the Madison aquifer in Lawrence County (Water Rights, 2002c), where the aquifer is used primarily for suburban housing development, commercial, municipal and irrigation use. There are a number of domestic wells completed into the Madison aquifer on file with the Water Rights Program (Water Rights, 2002a).

There are seven Water Rights/Permits appropriating groundwater within two miles of this well site. Two of these are from the Madison aquifer and the other five are from the Minnelusa aquifer. The Madison aquifer appropriations (1100-1 and 1680-1) belong to Ivan Shonley and are from a single well located approximately one mile north west of this proposed well site. Although there may be interference between these two wells, the impact of pumping should not be adverse or an unlawful impairment of the existing water right.

Historical Note:

In 1961, area property owners became concerned that pumping a well completed into the Minnelusa aquifer for golf course irrigation (Water Right No. 661-1, Boulder Canyon Country Club) might lower the water levels in the domestic wells. An observation well was completed 1962 to monitor the Minnelusa aquifer in this area. The 35 years of data from the observation well have shown the Minnelusa water levels have not been adversely by development in the area. In 1976, Ivan Shonley applied for Water Permits No.1099-1 and No.1100-1, from two wells, Madison and Minnelusa respectively. The Water Rights Commission deferred action upon receiving objections that the proposed project would affect domestic water supplies. The permits were eventually approved and there has been no report of controversy. In 1991, Water Rights received the latest phone call expressing concern about proposed additions to the Shonley Subdivision. Observation well data indicates well interference concerns in this area are basically unfounded.

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.

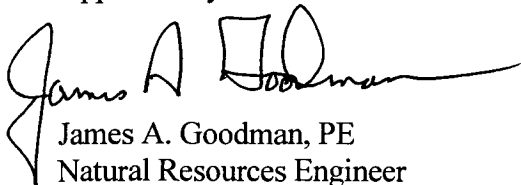
CONCLUSIONS:

1. There is a history of objections to ground water development in this area.
2. This appropriation will not adversely impair existing ground water rights due to the distance between wells, and the apparent hydraulic separation between the Madison and shallower aquifers in this area.
3. Data indicates that unappropriated water is available from the Madison Aquifer in this area.
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, PE
Natural Resources Engineer

REFERENCES:

Allen, J.C., Iles, D.L., and Petres, A.K., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, Task 3 and 4: Groundwater Resource Inventory: South Dakota Department of Water and Natural Resources,

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

Carter, J.M., Redden J.A., 1999b, Altitude of the Top of the Deadwood Formation in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-744-E,

Carter, J.M., and Driscoll, D.G., 2001, Estimated Recharge to the Madison and Minnelusa Aquifers in the Black Hills Area, South Dakota and Wyoming, Water Years 1931-98: U.S. Geological Survey Water-Resources Investigations Report 00-4278

Strobel, M.L., Jarrell, G.J., Sawyaer, J.F., Schleicher, J.R., Fahrenbach, M.D., 1999, Distribution of Hydrogeologic Units in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-744-C

Water Rights Program, 2002a, "Domestic Well Log Files" DENR-Water Rights Program,

Water Rights Program, 2002c, "Observation Well Files" DENR-Water Rights Program

Water Rights Program, 2002d, "Water Permit Files" DENR-Water Rights Program,



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1777-1, Valhalla Addition**

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. 1777-1, Valhalla Addition, c/o Mark Thuringer, 12311 Valhalla Addition, Sturgis SD 57785.

The Chief Engineer is recommending APPROVAL of Application No. 1777-1 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. 1777-1 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. 1777-1 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 wells 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.
3. The new well authorized by Permit No. 1777-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

See report on application for additional information.

Garland Erbele, Chief Engineer
October 23, 2002

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
 County of Lawrence)

I, Shirley Rehm

certify that the attached printed Notice was taken

from the Black Hills Pioneer

printed and published in Spearfish, SD

County of Lawrence and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

October 31, 2002

November 8, 2002

Cost of Printing \$ 42.34

Shirley Rehm
 (Signature)

Accounts Receivable Clerk
 (Title)

11/11/02
 (Date Signed)

**NOTICE OF
 APPLICATION
 NO. 1777-1
 to Appropriate Water**

Notice is given that Valhalla Addition, Mark Thuringer, 12311 Valhalla Drive, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.222 cubic feet of water per second from two

wells (Madison Formation) 290 and 550 feet deep located in the W 1/2 SW 1/4 Section 13-T5N-R4E (Lot S-3 Sanders Subdivision). The water is for a suburban housing development.

Pursuant to SDCL, the Chief Engineer is recommending APPROVAL of Application No. 1777-1 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 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

RECEIVED

NOV 13 2002

WATER RIGHTS
 PROGRAM

Instruction to Newspaper - Publish first Notice on November 1, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1777-1 to Appropriate Water

Notice is given that Valhalla Addition, Mark Thuringer, 12311 Valhalla Drive, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.222 cubic feet of water per second from two wells (Madison Formation) 290 and 550 feet deep located in the W ½ SW ¼ Section 13-T5N-R4E (Lot S-3 Sanders Subdivision). The water is for a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer is recommending APPROVAL of Application No. 1777-1 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 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 November 18, 2002.

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. 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

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

October 25, 2002

Valhalla Addition
Mark Thuringer
12311 Valhalla Dr
Sturgis SD 57785

Dear Mr. Thuringer:

Water Permit Application No. 1777-1 for suburban housing development 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). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also 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 57501-3182
www.state.sd.us/denr

October 25, 2002

Black Hills Pioneer
PO Box 7
Spearfish SD 57783-0007

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1777-1 to Appropriate Water to be published twice. Please publish the first notice on November 1, 2002 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 Valhalla Addition, Mark Thuringer, 12311 Valhalla Dr., Sturgis SD 57785 (Ph # 605-347-5558).

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. 1777-1

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

Date _____

We are in receipt of your letter of October 25, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 1777-1 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 20 2002

Valhalla Addition
% Mark Thurninger
12311 Valhalla Drive
Sturgis SD 57785

Dear Mr. Thurninger:

Enclosed is Water Permit No. 1777-1 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

1777-1

07-92

Location W 1/4 SW 1/4 Sec 13 Twp 5-N Rg 4-ECounty Lawrence

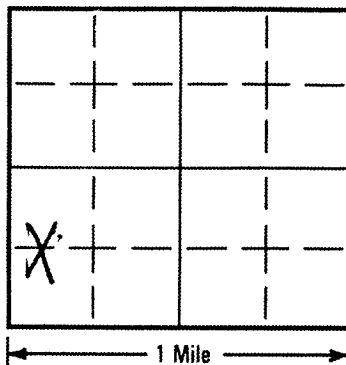
North

Please mark well location with an "X"

W

E

Well Completion Date

8-12-03

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 400 ft. from Septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary Air WaterCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>21</u> LB/FT	<u>7"</u> IN	<u>0</u> FT	<u>610'</u> FT	<u>8 3/4"</u> IN
<u>14</u> LB/FT	<u>4 1/2"</u> IN	<u>590</u> FT	<u>890</u> FT	<u>6 1/4"</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland</u>	<u>75</u>	<u>946</u> lb./gal	<u>0</u> ft.	<u>610'</u> ft.
<u>Type I-II</u>	<u>12</u>	<u>918</u> lb./gal	<u>40'</u> ft.	<u>45'</u> ft.

Describe grouting procedure Pressure grout thru casing
Displace water by mud pump to 45' then
temple to surfaceSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 4 1/2 IN Length 30 FEETMaterial SteelSlot Size 1/8 Set From 860 Feet to 890 feetOther information Liner to isolate
Shale Lense @ 680' to 700'WAS A PACKER OR SEAL USED? ☒ YES ☐ NOIf so, what material? NespraneDescribe packer(s) and location? 2-4 1/2 x 7 @ 720' + 725'
1-4 1/2 x 7 @ 895'

DISINFECTION: Was well disinfected upon completion?

YES, How: ChlorineNO, Why Not? Permits

Laboratory sent to for water quality analysis

owner to complete

Well Owner:

Business Name: VAL HALLA WATER ASSOCAddress: 12311 VAL HALLA DRIVE
STURGIS S.D. 57785

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Rocks & Clay</u>	<u>0'</u>	<u>10'</u>
<u>Minnekahta Limestone</u>	<u>10'</u>	<u>45'</u>
<u>Opelous Red Clay</u>	<u>45'</u>	<u>150'</u>
<u>(Minnekahta)</u>	<u>150'</u>	<u>594'</u>
<u>White Limestone</u>	<u>594'</u>	<u>680'</u>
<u>Green Sandy Shale</u>	<u>680'</u>	<u>700'</u>
<u>(Madison) Limestone</u>	<u>700'</u>	<u>900'</u>
<u>Fracture @ 880'</u>		
<u>100 GPM</u>		

STATIC WATER LEVEL 105' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ PumpedDescribe: Air developed☐ Bailed☒ Other

Pumping Level Below Land Surface

890 ft. After 2 Hrs. Blow 100+ GPM500 ft. After 2 Hrs. Blow 60+ GPM

If pump installed, pump rate _____ GPM

REMARKS

Cased 7" to 610'
open hole to 900'
Green shale 680'-700' discolored
water set liner to 890'

This well was drilled under license # 568

And this report is true and accurate.

Drilling firm Cimarron Drilling Inc

Signature of License Representative:

Michael J. Deubert

Signature of Well Owner or Equitable Property Holder:

JAN 14 2004

WATER RIGHTS PROGRAM

Date:

Permit No. 1777-1
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, **28 August 2007**, made a thorough examination of the water use system constructed by **Valhalla Addition** of **20782 Valkyrie Way, Sturgis, SD. 57785** holder of Permit No. **1777-1**, bearing the priority of **15 July 2002** authorizing the diversion of **0.222** cu. ft. per second of the waters of **the Madison formation** for **suburban housing development use** in **Lawrence** County.

Inspection contact & relationship **Richard Weiss**
to permit holder, if applicable: **605-347-5096**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Cimarron**
- 2) No. of Wells **2**
- 3) Depth(s) **900** feet
- 4) Well log is available **Y**
- 5) Comment: **Well completion log is available only for well #2 (new well).**

Casing:

- 1) Diameter **7 / 4 ½** inches
- 2) Length **610 / 300** feet
- 3) Type **steel**

Screen:

- 1) Type **perforated pipe**
- 2) Length **30** feet
- 3) Static water level **105** feet

Pump:

- 1) Make **Grundfos**
- 2) Capacity **40** GPM

Motor:

- 1) Make **Franklin**

- 2) Model No. 2822019210
- 3) Horsepower rating 7 ½ hp

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 N
- 3) Exceptions to compliance are: none

The system is in good condition with the point(s) of diversion located as follows: #1) NW ¼ SW ¼ Section 13-T5N-R4E, approximately 800 feet east and 2428 feet north of the south west corner of Section 13, N 44.39402 Latitude and W -103.58608 Longitude #2) NW ¼ SW ¼ Section 13-T5N-R4E, approximately 800 feet east and 2433 feet north of the south west corner of section 13, N 44.39402 Latitude and W -103.58608 Longitude. The works are capable of diverting and conveying to the place of use 0.089 cu. ft. per second of water 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: **Well #1 is being maintained as a back up well. Well #2 is the primary well. The two wells are within approximately 10 feet of one another. They have the same GPS reading due to the hand held Garmin GPS60 unit being accurate to +/- 16 feet in this area.**



Mark Costello
Natural Resources Engineer
DENR, Water Rights Program

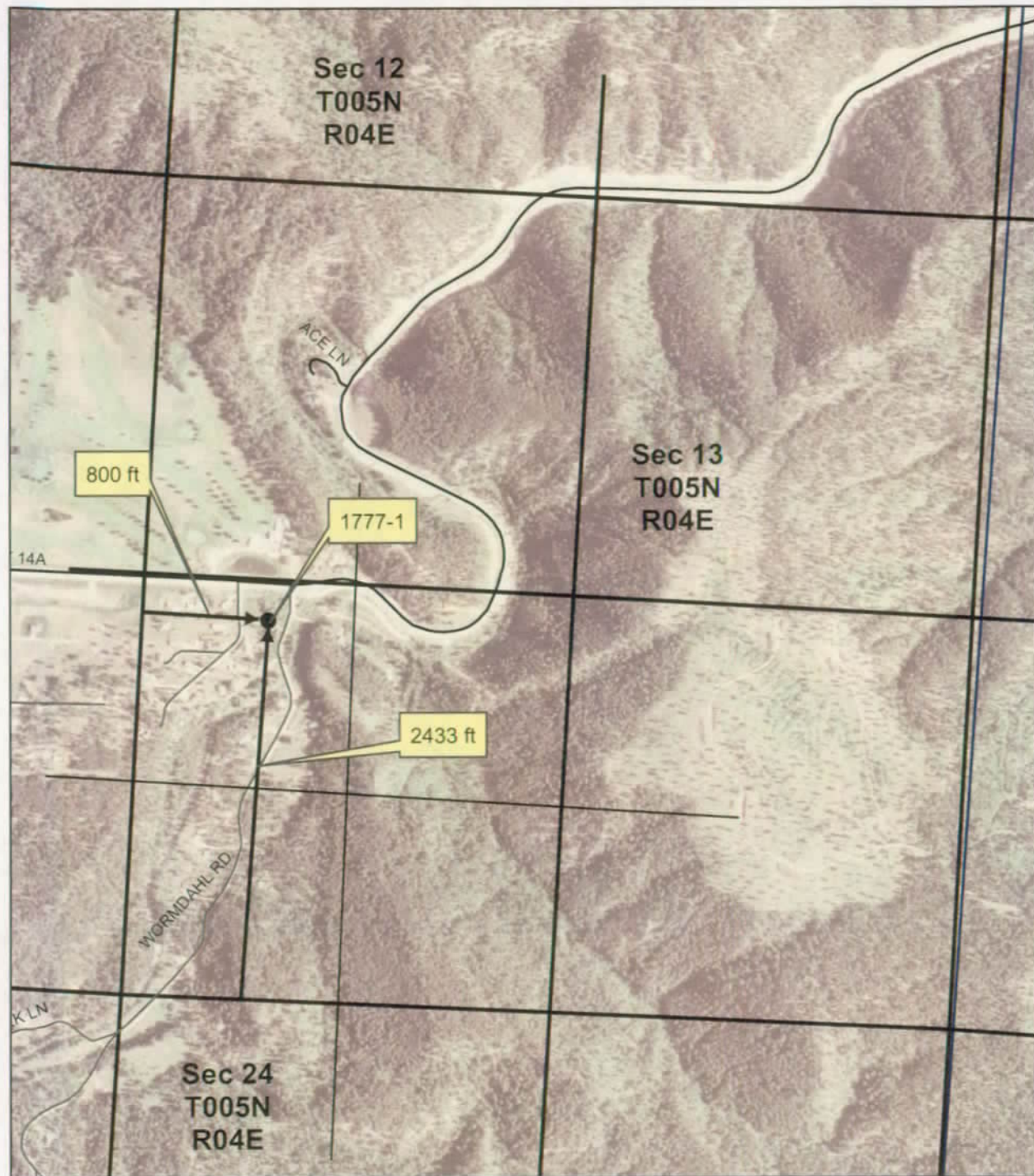
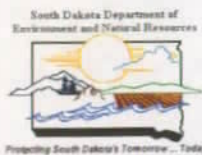
Date report completed: 24 January 2008



South Dakota

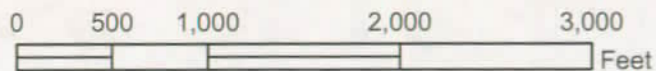
1777-1

Valhalla Addition
20782 Valkyrie Way
Sturgis, SD. 57785



Mark Costello

Mark Costello
Natural Resources Engineer
DENR, Water Rights
24 January 2008



**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1777-1**

(1) Valhalla Addition, 20782 Valkyrie Way, Sturgis SD 57785 made Application No. 1777-1, July 15, 2002 for a water permit to divert 0.222 cubic feet of water per second from ground water (two wells – Madison Formation), Lawrence County, South Dakota for suburban housing development purposes. Permit No. 1777-1, with a priority date of July 15, 2002 was approved November 18, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 18, 2007 and for the application to beneficial use of said water on or before November 18, 2011.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.089 cubic feet of water per second for beneficial use (40 gallons per minute). The location of the diversion points are:

- Well #1: 800 feet E and 2,428 feet N of the SW corner of Section 13, T5N, R4E (NW ¼ SW ¼);
- Well #2: 800 feet E and 2,433 feet N of the SW corner of Section 13, T5N, R4E (NW ¼ SW ¼).

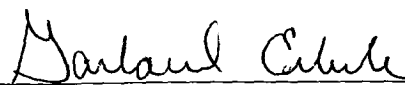
Well #1 is being maintained as a backup well with Well #2 serving as the primary well. The two wells are within 10 feet of each other.

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Valhalla Addition, 20782 Valkyrie Way, Sturgis SD 57785 the holder and/or owner of Water Right No. 1777-1 is issued a license to appropriate water, the right to use 0.089 cubic feet of water per second from ground water (two wells – Madison Formation) with a priority date of July 15, 2002 from the locations specified in (2) of this license for suburban housing development purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1777-1 and subject to the following qualifications:

- In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1777-1 is issued for a 20-year term. Pursuant to SDCL 46-2A-21, the 20-year term may be deleted at any time during the 20-year period or following its expiration. If the 20-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. 1777-1 may also be cancelled for non-construction, 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.
- The wells 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.
- The wells authorized by Permit No. 1777-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28 (*well completion report on file with the Program for Well #2*).



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

APR 02 2008

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 02 2008

1777-1

Richard Weiss
Valhalla Addition
20782 Valkyrie Way
Sturgis SD 57785

Dear Mr. Weiss:

Enclosed is Water License No. 1777-1. This is the final water right document completing the process of obtaining a Water Right. Enclosed 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 well authorized by Water Right No. 1777-1, 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