

WATER PERMIT NO. 1787-1

Name of Applicant: **Kaski Homes, Inc.**

Address: **PO Box 341, Piedmont SD 57769** Phone: **605 381-0727**

Amount of Water Claimed: **0.1** Total Acres: **NA**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **suburban housing development** County: **Meade**

Type of Waste Disposal System: **septic tank & drainfield**

Location: **1 miles northwest of Piedmont**

PRIORITY Date Received: **7-23-2002**

Application/License Fee: **\$100**

Corrected Application Received: **2-13-2003**

Period of Annual Use: **January 1 – December 31**

Remarks:

Diversion Point: **SE ¼ SE ¼ Sec 5-T3N-R6E**

Land to be Irrigated: **NA**

Depth of Well: **300 feet**

Well Driller: : **Cimarron Drilling, Inc.**

Remarks:

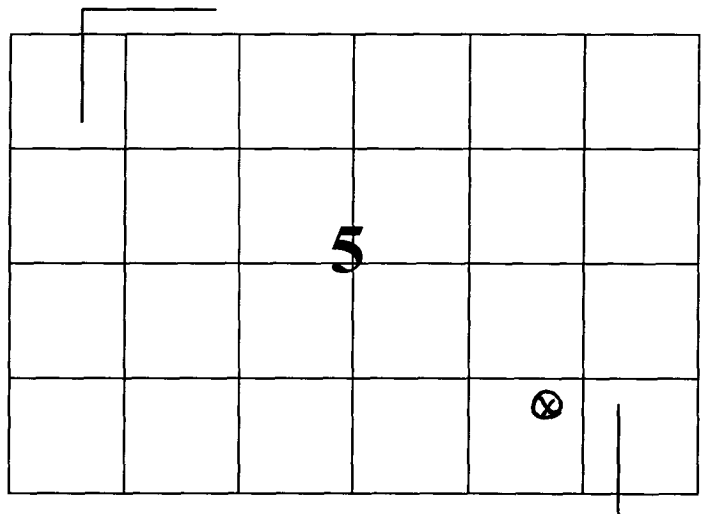
Type of Map: **plat**

Prepared by: **Ricky J Bush, RLS**

Reviewed and the Number Assigned on: **2-13-2003**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 1787-1**

Date of first receipt of application July 23, 2002.

Date of return to applicant for corrections, amendments or changes July 23, 2002.

Date of receipt of corrected application February 13, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1787-1 to Kaski Homes, Inc., PO Box 341, Piedmont SD 57769 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. 1787-1 appropriates 0.1 cubic feet of water per second (45 gallons per minute) from one well (Minnelusa Formation) 300 feet deep located in the SE ¼ SE ¼ Section 5-T3N-R6E
2. The water appropriated shall be used for the purpose of supplying water for 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. 1787-1 is May 19, 2003.
5. The date from which applicant may claim right is February 13, 2003.
6. One-fifth of the construction is to be completed on or before November 19, 2005.
7. All construction is to be completed on or before May 19, 2008.
8. Water is to be put to beneficial use on or before May 19, 2012.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

JUN 13 2003

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>1787-1</u> (office use only) Hydrologic Unit <u>10/20/11</u>
	Basin <u>Upper Cheyenne</u>
	Newspaper <u>Meade Co. Times Tribune</u>

RECEIVED
JUL 23 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.) _____

- Name of Applicant Kaski Homes Inc. (check one) ☐ Owner ☐ Tenant/lessee Phone (605) 381-0727
Mailing Address P.O. Box 341 Piedmont State SD 57769
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.1 *CFS or 45 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply New Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1 well in SE 1/4 SE 1/4 sec 5 T2N3 R6E
County Meade
- County or counties where water will be used Meade
- Annual period during which water is to be used Annually / Year Round Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
6-6+ acre Residential lots

STATE OF SOUTH DAKOTA)

County of Pennington 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, Ryan J. Kaski, 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 Ryan J. Kaski

Subscribed and sworn to before me this 22nd day of July, 2002

DAWN CHRISTENSEN

NOTARY PUBLIC

State of South Dakota

My Commission Expires 6-17-2005

Record of Survey
of
The SE1/4SE1/4, Section 5,
Township 3 North, Range 6 East, B.H.M.,
Meade County, South Dakota.

Survey Notes:

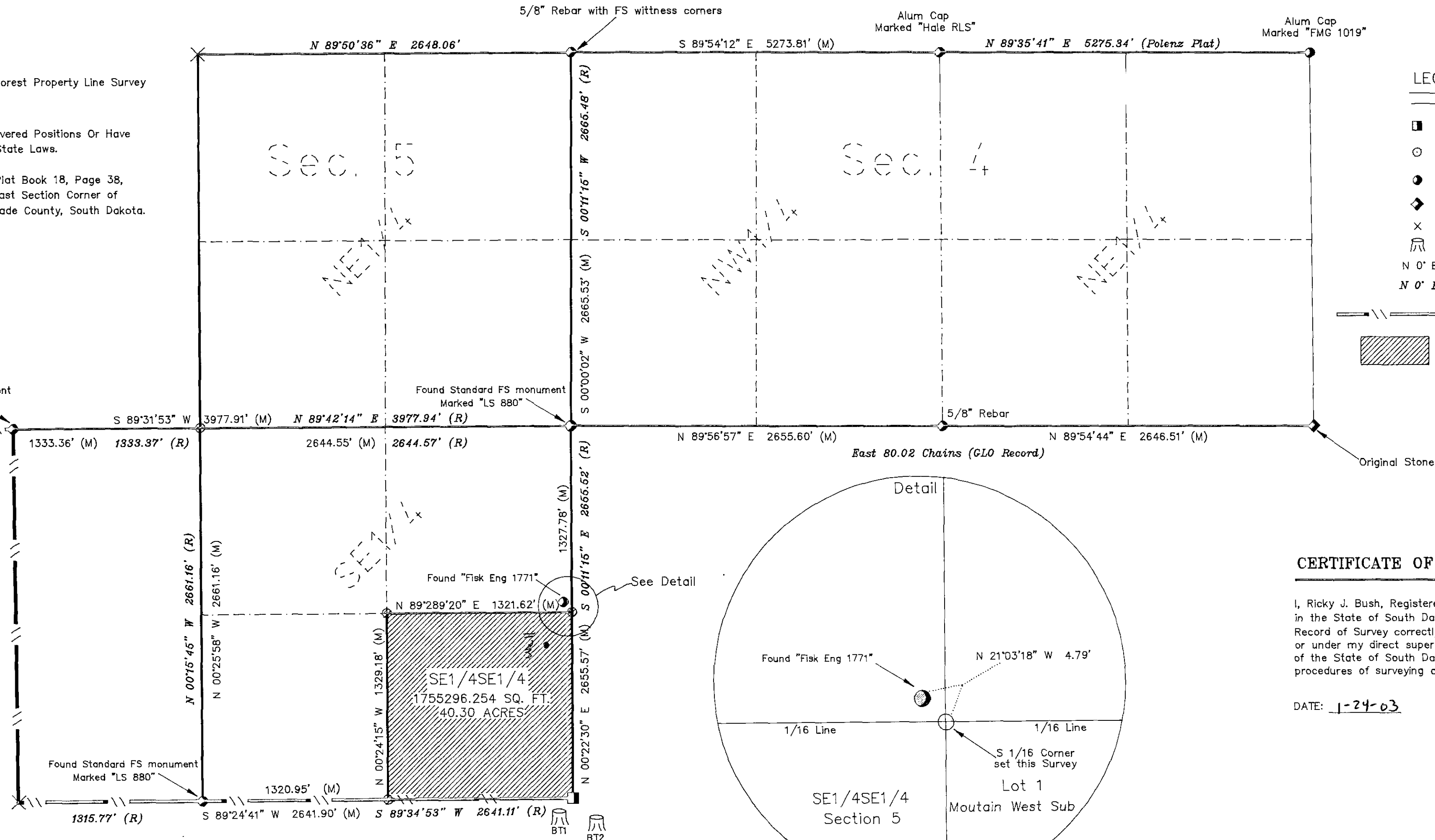
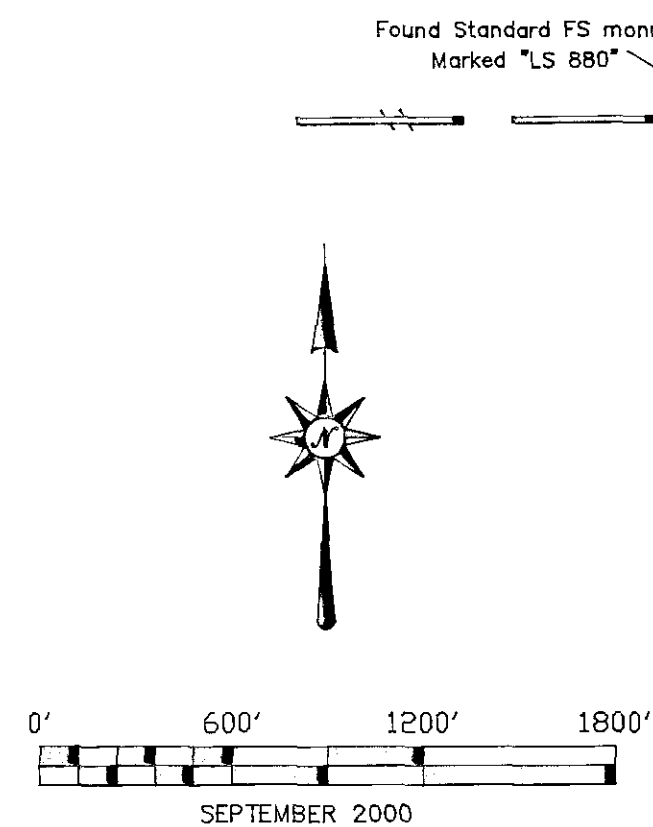
1) All Record Dimensions referred to are from a 1993 Forest Property Line Survey Performed By Don Egge, Unless Otherwise Noted.

2) All Controlling Corners Of This Survey Are Either Recovered Positions Or Have Been Properly Re-established As Required By Aplicable State Laws.

3) Basis of Bearing is of record from the plat filed in Plat Book 18, Page 38, between the North East section corner and the South East Section Corner of Section 5, Township 3 North, Range 6 East, B.H.M., Meade County, South Dakota. N 00°11'15" W

BT1 10" Pine Bears S55°00'00"W 18.8 feet.

BT2 12" Pine Bears S14°30'00"E 28.2 feet.



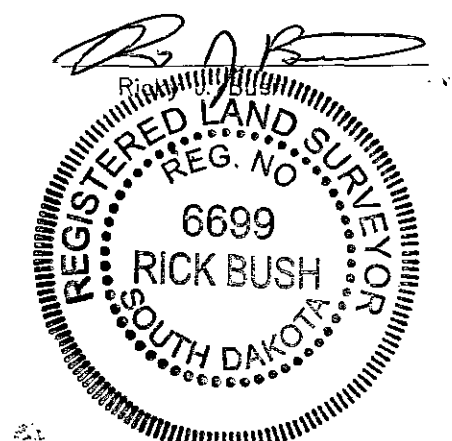
LEGEND

- Monument Set This Survey From Original Evidence
- 5/8" Rebar & Cap Set This Survey " Bush 6699"
- Monument Found This Survey As Noted
- Original GLO Monument
- Calculated position
- Bearing Tree
- N 0° E Vertical Lettering - Retracement Calls.
- N 0° E Slant Lettering - Record Calls
- National Forest Boundary Line
- Property Being Surveyed This Survey.

CERTIFICATE OF SURVEY

I, Ricky J. Bush, Registered Land Surveyor Number 6699, in the State of South Dakota, hereby certify that this Record of Survey correctly represents a survey made by me or under my direct supervision in conformance with the laws of the State of South Dakota and accepted methods and procedures of surveying at the request of the land owner.

DATE: 1-24-03



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 $\frac{7}{8}$ " Depth 300'
- b) Casing Type PVC Diameter 5" Thickness 200 PSI
- c) Screen Type ✓ Diameter — Thickness —
- d) Gravel Pack — Length of Gravel Pack —
- e) Depth to Top of Water Bearing Material 150' to Minnelusa
- f) Depth to Water (ground surface to water level) 50'
- g) Distance to nearest existing domestic well:
- On applicants property ✓ On property owned by others 300'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) 600 sq. ft of Drain Field (3 Bedroom Design)
- b) System Capacity (gallons) 1500 gallon concrete Year Constructed 2002
- c) Connected to the City of Septic tank Sanitary System N/A

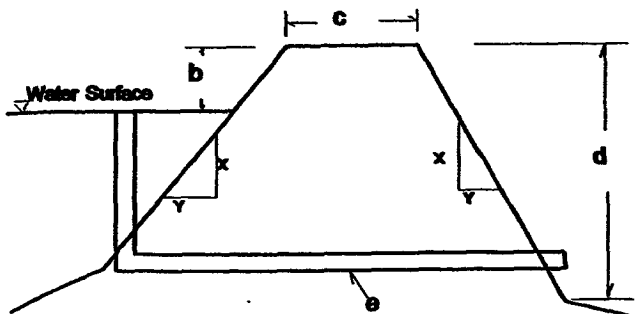
3. Dugout Information

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

4. Water Storage Dams

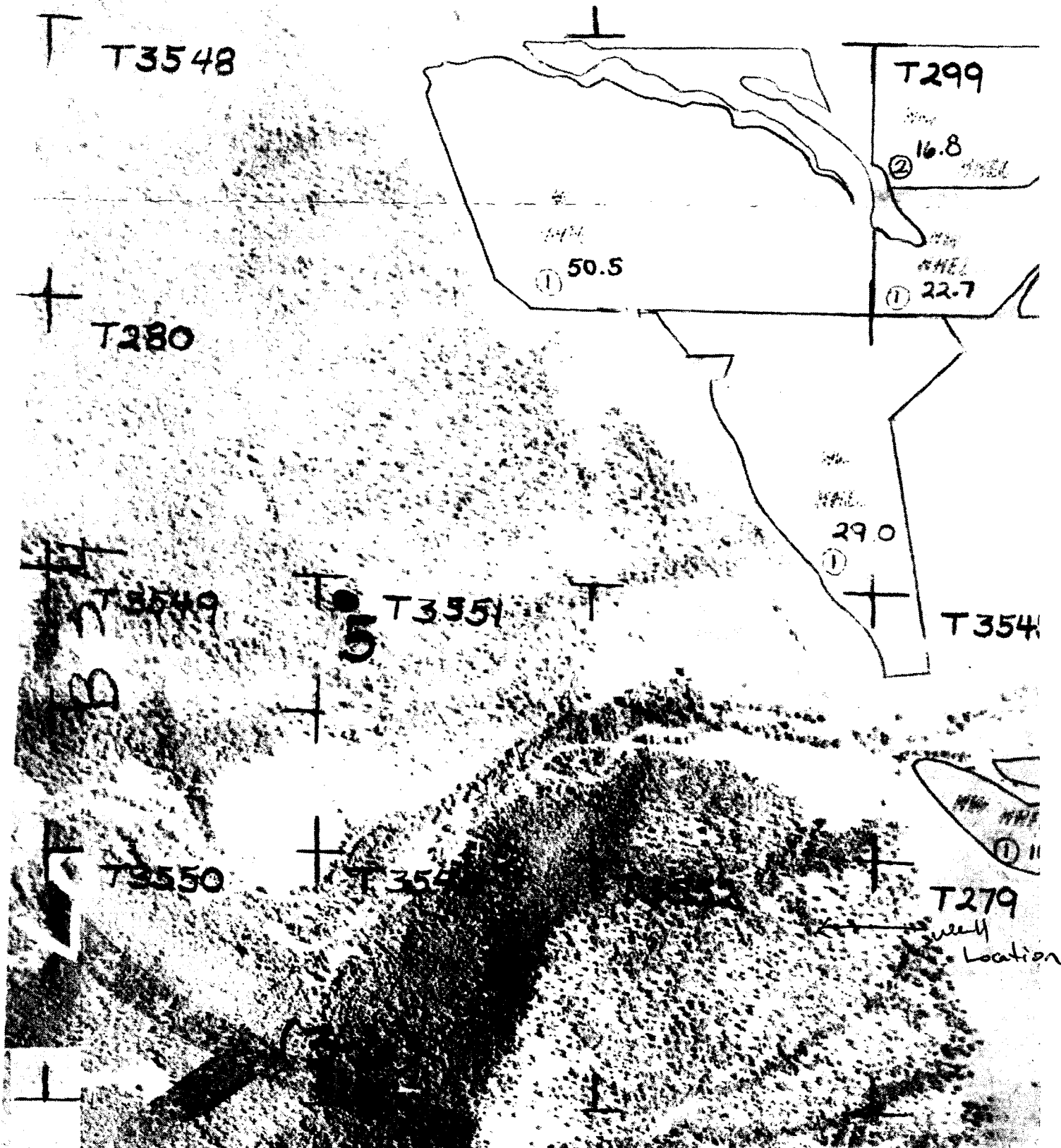
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- 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

NOT TO SCALE



1787-1

Record of Survey
of
The SE1/4SE1/4, Section 5,
Township 3 North, Range 6 East, B.H.M.,
Meade County, South Dakota.

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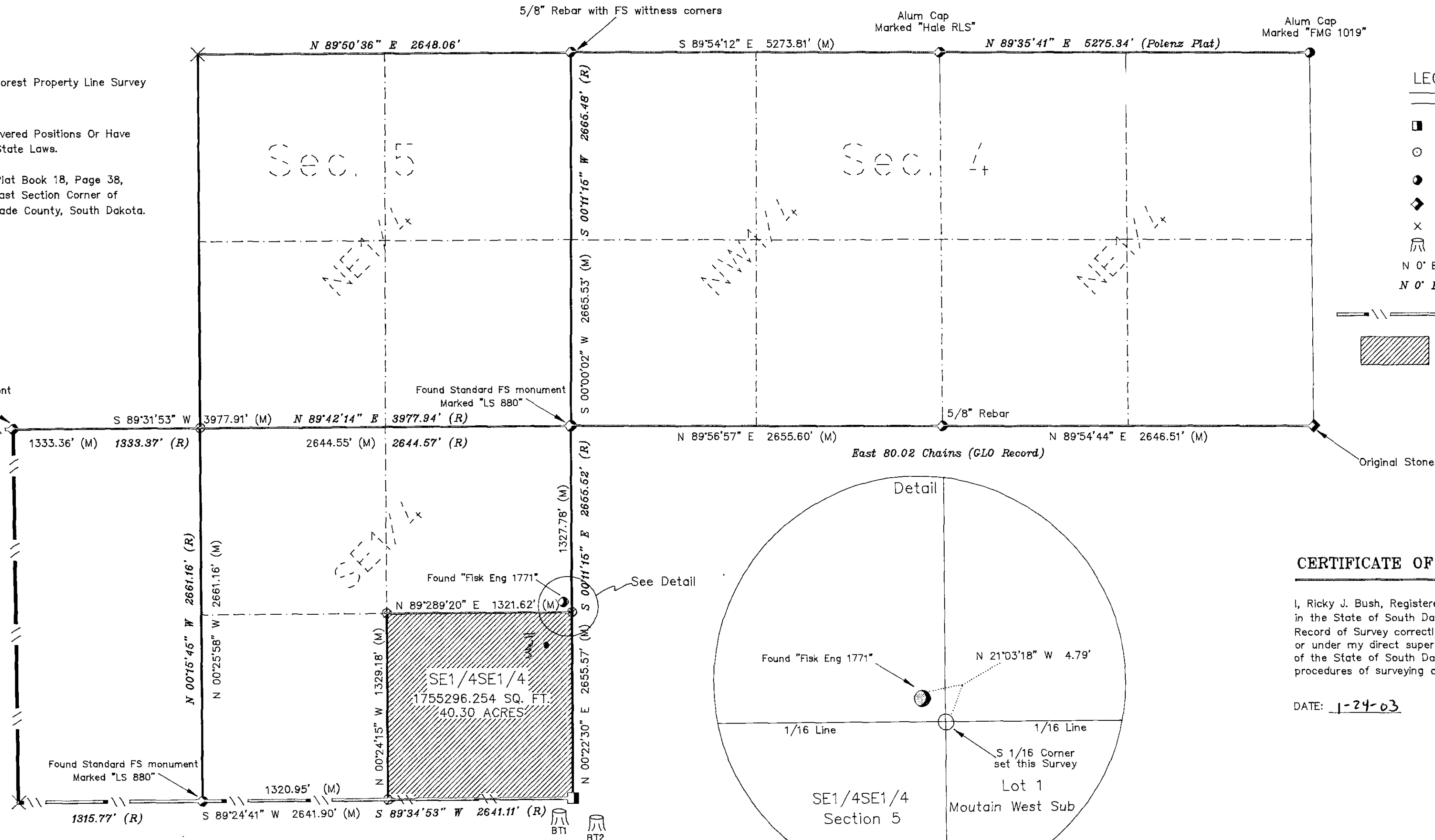
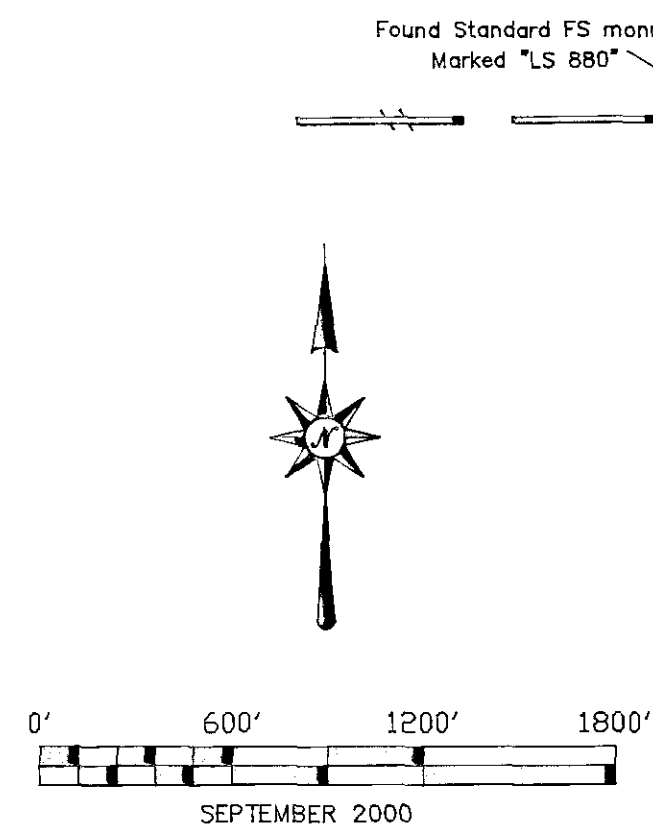
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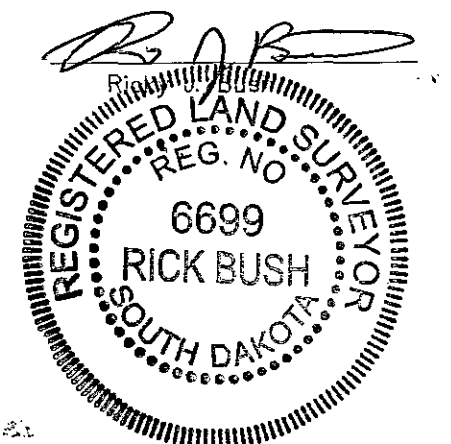
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DATE: 1-24-03

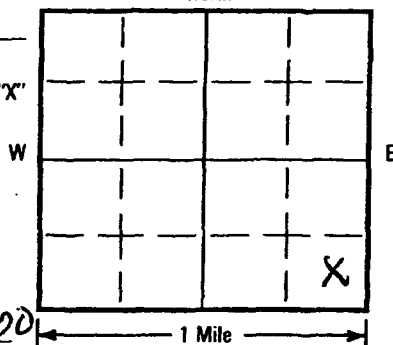


SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 SE 1/4 Sec 5 Twp 3-N Rg 6-E
County Meade North

Please mark well location with an "X"



Well Completion Date

10-28-2000

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 300 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>200 LB/FT</u>	<u>5 IN</u>	<u>0 FT</u>	<u>260 FT</u>	<u>7 7/8 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Port Land No. of Sacks 45 Grout Weight 94 1/2 lb./gal From 0 ft To 260 ft
 Type FT lb./gal _____ ft _____ ft
 Describe grouting procedure Pressure Grout Then Casing
with mud pump - displace with water to surface

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Chlorine☐ NO, Why Not? Pellets

Laboratory sent to for water quality analysis

owner To Complete

Well Owner: RYAN KASKI
 Business Name: _____
 Address: P.O. Box 341
Piedmont, S.D. 57769

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Lime stone</u> <u>(MINNEKANTA)</u>	<u>0'</u>	<u>40'</u>
<u>Red Shale ss.</u> <u>(OPECHE)</u>	<u>40'</u>	<u>200'</u>
<u>Red, pink & white sand</u> <u>& sand stone</u> <u>(MINNEHUSA)</u>	<u>200'</u>	<u>300'</u>

STATIC WATER LEVEL

160

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

240 ft. After 1 Hrs. Blew 30 GPM300 ft. After 2 Hrs. Blew 60 GPMIf pump installed, pump rate 16 GPM

REMARKS

This well was drilled under license # 568

And this report is true and accurate.

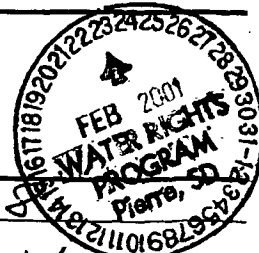
Drilling firm CIMARRON Drilling Inc.

Signature of License Representative

Michael J. Deutch

Signature of Well Owner or Equitable Property Holder:

Date: _____



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 417235

Pierre, July 23, 2002

RECEIVED OF Kaski Homes Inc., Ryan Kaski, PO Box 341, Piedmont SD 57769
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1787-1</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1787-1</u> _____	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

Darlene E. Erbe

gms



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 23, 2002

Kaski Homes, Inc.
c/o Ryan Kaski
PO Box 341
Piedmont SD 57769

Dear Mr. Kaski:

Thank you for submitting the four *Applications for a Permit to Appropriate Water* for suburban housing developments. In order to complete the applications the following is required for each application:

Well located in NW ¼ NW ¼ Section 29-T4N-R6E (Pine Haven Estates)

- Map is being returned because it 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.
- On Form 2A, Supplemental Information, please complete No. 2. Wastewater Disposal System Information.

Well located in the SE ¼ SE ¼ Section 5-T3N-R6E

- Map is being returned because it 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.
- On Form 2A, Supplemental Information, please complete No. 2. Wastewater Disposal System Information.

Well located in the SE ¼ Section 9-T3N-R9E (Dry Creek Estates)

- Map is being returned because it 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.
- On Form 2A, Supplemental Information, please complete No. 2. Wastewater Disposal System Information.
- This application requests 75 gallons per minute (gpm). The application/license fee for 75 gpm is \$200. An additional \$100 is required.

Well located in the S ½ Section 21-T3N-R7E (Autumn Meadows Subdivision)

- Map is being returned because it needs to reference the well location in relation to a government section corner or quarter corner. This map has the required signature.
- On Form 2A, Supplemental Information, please complete No. 2. Wastewater Disposal System Information.
- This application requests 75 gpm. The application/license fee for 75 gpm is \$200. An additional \$100 is required.
- I have reviewed our files and cannot find a well completion report for this well. Please submit or have the well driller submit the well completion report.

July 23, 2002
Kaski Homes, Inc.
Page 2

A copy of each application is being returned, as well as the Supplemental Information sheet, map and a copy of the well completion report (if available). Please complete each application as indicated above and return all the information. The total additional fee required will be \$200.00.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Karen Schlaak". The script is cursive and fluid.

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

Kaski Homes, Inc.

1935 SAMCO ROAD, SUITE 102
RAPID CITY, SD 57702

TELEPHONE: (605) 342-9606

FAX: (605) 342-9607

February 12, 2003

RECEIVED

FEB 13 2003

WATER RIGHTS
PROGRAM

Ms. Karen Schlaak
Water Rights Program
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

RE: Water Well Locations

Dear Ms. Schlaak:

Per your letter of July 23, 2002, I have enclosed the information requested for the following water well locations:

Well located in NW ¼ NW ¼ Section 29-T4N-R6E (Pine Haven Estates)
Well located in SE ¼ SE ¼ Section 5-T3N-R6E

The information for the remaining well locations will be forthcoming to you from CETEC Engineering.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

KASKI HOMES, INC.



Ryan Kaski
President

Enc.
/dls

WATER PERMIT APPLICATION NO. 1787-1
KASKI HOMES, INC.
APRIL 16, 2003

Water Permit Application No.1787-1 proposes to appropriate 0.10 cubic feet of water per second (45 gallons per minute) from one well (Minnelusa aquifer) 300 feet deep located in SE¼ SE¼ Sec. 5, T3N-R6E., Meade County. The water is for suburban housing development use.

AQUIFER: Minnelusa aquifer (MNLS)

GENERAL:

The Minnelusa Formation consists of alternating beds of sandstone and dolomitic limestone with lesser amounts of shale and chert, approximately 500 feet thick in this area (Carter and Redden, 1999a; Carter and Redden, 1999b). The Minnelusa Formation outcrops less than one-quarter mile northwest of this site (Strobel and others, 1999) and the Completion Report for this well reports the top of the formation to be 200 feet below grade at this well. The porous portions of the formation form the Minnelusa aquifer. Well sorted sand lenses have porosity's approaching 25%, but generally the sands have porosity's of 10%. The average porosity of the Minnelusa is estimated to be 10% and the effective porosity is assumed to be 5% (Rahn, 1979). The Minnelusa formation underlies virtually all of western South Dakota and the Minnelusa aquifer contains over 755 million acre-feet of recoverable water in storage (Allen, 1984). The Minnelusa aquifer underlies approximately 2,149,120 acres of Meade County and contains an estimated 81,482,000 acre-feet of recoverable water in storage in the county (Allen, 1984). Ground water movement in the aquifer is probably toward the north and east (Strobel, 2000). There is no aquifer-test data available for the Minnelusa aquifer at this site; therefore, the aquifer transmissivity and storage coefficient values are unknown. Estimates from regional studies of the aquifer indicate the aquifer transmissivity may range from .86 to 8,600 ft²/d, and the storage coefficient ranges from 0.003 to 5×10^{-9} (Driscoll, and others, 2002). The water quality of the aquifer is generally good near the outcrop but deteriorates considerably with distance from the recharge area.

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.

Recharge to the Minnelusa aquifer is primarily from infiltration of precipitation on the outcrop and stream flow losses. Average annual recharge from 1931-1998 is estimated to be approximately 112,000 acre-feet per year (Carter and Driscoll, 2001a).

There are a total of 182 appropriations from the Minnelusa aquifer in South Dakota, including two Future Use Reservations (Water Rights, 2003c). The aquifer is used primarily for domestic, commercial, municipal, suburban housing and irrigation uses. There are 62

permits/rights appropriating water from the Minnelusa aquifer in Meade County (Water Rights, 2003c). In addition to appropriative rights, there are a number of domestic wells completed into the Minnelusa aquifer on file with the Water Rights Program (Water Rights, 2003a). The Future Use Permits (No. 902-1 and 969-1) reserve 1,460 acre-feet annually. Water permits and rights represent appropriations up to 10,802.7 acre-feet annually for irrigation use (Water Rights, 2002) and a combined diversion rate of 27.61 cfs for non-irrigation uses. Maximum well withdrawals from the Minnelusa aquifer, assuming (1) that permits/rights with an annual withdrawal limitation (ac-ft/yr.) will use the maximum allowable; and (2) permits/rights that are limited by a diversion rate only, will use 60% of the maximum allowable (considered reasonable for water distribution systems); would be approximately 25,000 acre-feet per year. The actual amount of water used from the aquifer is considerably less than this estimate. Withdrawals from wells (domestic and appropriative) completed into the Minnelusa aquifer were estimated to be 8,108 acre-feet annually from 1987-1996 (Carter and others, 2001b).

Comparison of annual recharge estimates and estimated annual well withdrawals show that well withdrawals from the Minnelusa are only a fraction of estimated average annual recharge. Therefore, based on a simple water budget, it is clear that unappropriated water is available for this appropriation.

The best information available to evaluate development as it relates to recharge, is historical records and data from observation wells. The difference between withdrawal from an aquifer and recharge is reflected by the water level of the aquifer. If the water level of an aquifer continues to decline, it may suggest that withdrawals exceed recharge. The Water Rights Program monitors 23 observation wells completed into the Minnelusa aquifer in the Black Hills area (Water Rights, 2003b). Water Rights' Observation Well MD-84A is located approximately two miles southeast of this well, and Observation Well MD-84B is located approximately four miles northwest of this well. The hydrographs for these wells (figures 1 & 2), are fairly typical for the Minnelusa aquifer. That is, the water levels reach their peak in the early summer each year and gradually decline until spring. The majority of the recharge to the system occurs between March and July.

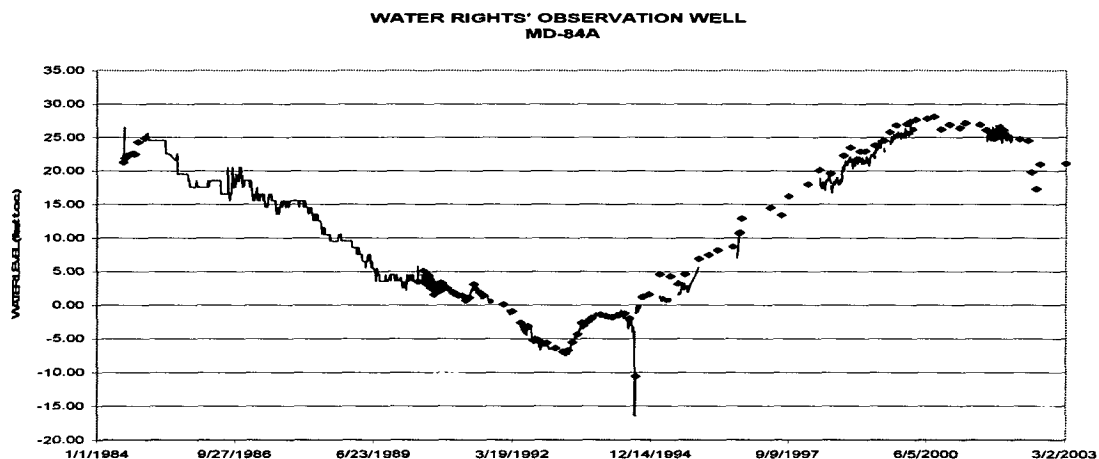


Figure 1. Hydrograph of Water Rights' Minnelusa aquifer Observation Well approximately two miles southeast of 1787-1.

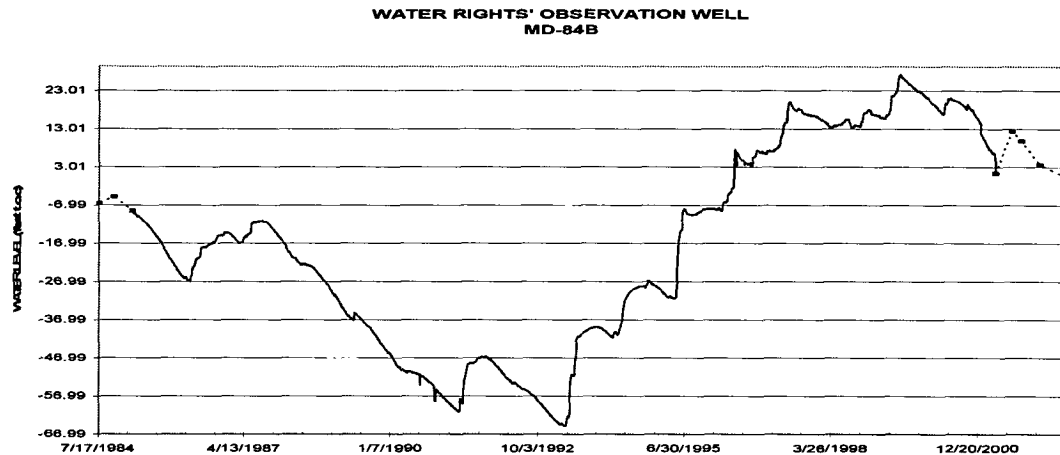


Figure 2. Hydrograph of Water Rights' Minnelusa aquifer Observation Well approximately four miles northwest of 1787-1.

The hydrograph also shows the magnitude of fluctuation in the water levels in the area (>92' in MD-84B, $\cong$ 45' in MD-84A) with the lowest water level on record occurring in 1993 and the highest occurring in 1999 or 2000.

It is obvious from the hydrographs of Minnelusa observation wells, that withdrawals have not exceeded recharge for the period of record. The observation well data suggests that the aquifer is capable of sustaining additional withdrawals.

AFFECTS ON EXISTING RIGHTS:

There are ten Water Rights/ Permits appropriating ground water within approximately two miles of this well site, they are shown in table 1.

PERMIT NO	NAME	AQUIFER	USE	CFS
1155-1	DONALD/BETTY WITTINGER	MNLS	COM	0.03
1376-1	MOUNTAIN WEST, LLC	ALQ	IND	0.33
1336-1	PIEDMONT SENIOR CITIZENS	MNKT	INS	0.10
1464-1	MOUNTAIN WEST, LLC	MNKT	IND	0.34
1682-1	STANLEY SCHEURER	MNLS	SHD	0.133
1683-1	DAVE & MELISSA ROWE	MNLS	COM	0.04
1694-1	DAN KESSLER	MNLS	COM	0.067
1730-1	GEORGE A WANG	MNLS	COM	0.10
1736-1	STANLEY SCHEURER	MDSN	SHD	1.11
1902-2	CAROL'S SLASH J	MNLS	COM	0.01

Table 1. Groundwater appropriations within three miles of 1786-1

Wells that are not supplied by the Minnelusa aquifer should not be affected by withdrawals from this well since the Opeche Shale serves as a confining layer above the Minnelusa, and

the thick carbonate sequence in the lower Minnelusa isolates the Minnelusa aquifer from lower aquifers.

In addition to the wells supplying Water Permits/Rights, there are a number of domestic wells completed into the Minnelusa aquifer on file with the Water Rights Program (Water Rights, 2003a).

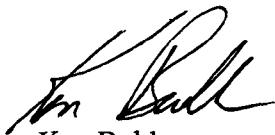
Although the impact of approving this application cannot be quantified precisely, it is still possible to address whether this appropriation can be made without adversely affecting water rights, including domestic wells. Water Management Board rules 74:02:04 and 74:02:05, which were promulgated pursuant to SDCL 46-6-6.1, provide protection to prior appropriators only to the degree necessary to maintain an adequate depth of water in wells that have the ability to produce water independent of artesian pressure. Simply put, the pump placement, or artesian flow, in a prior appropriator's well is not necessarily protected. In fact, in past action, the Water Management Board it has concluded that if increased cost or decreased production is considered an adverse impact, it could be in conflict with SDCL 46-1-4, which requires South Dakota's water resources to be put to beneficial use to the fullest extent of which they are capable.

Although the Minnelusa is under artesian conditions in this area and pumping may cause a decline in the potentiometric surface over a fairly widespread area. Considering the Board's past actions, any well interference this proposed use would have on area water rights/permits and domestic wells is not expected to be significant or adverse. It may be necessary to lower pumps in some wells to maintain water use at the present level.

Any interference this proposed use would have on these or other water rights/permits is not expected to be adverse due to the distance between wells, and the relatively low diversion rate requested by this application.

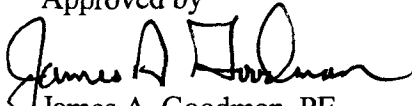
CONCLUSIONS:

1. The Minnelusa Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. The Minnelusa is under artesian conditions and drawdown due to this diversion can be expected. This drawdown is not expected to adversely affect adequate wells in the area.
3. The Completion Report submitted with this application indicates the existing well has been constructed in compliance with the SD Well Construction Standards.



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., and Redden J.A., 1999a, Altitude of the Top of the Minnelusa Formation in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-744-C, 2 sheets, scale 1:100,000
- Carter, J.M., and Redden J.A., 1999b, 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, 2 sheets, scale 1:100,000
- Carter, J.M., Driscoll, D.G., Hamade, G.R., and Jarrell, G.J., 2001, Hydrologic Budgets for the Madison and Minnelusa Aquifers, Black Hills of South Dakota and Wyoming, Water Years 1987-96: U.S. Geological Survey Water-Resources Investigations Report 01-4119, 53 p.
- Carter, J.M., Driscoll, D.G., and Hamade, G.R., 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, 66 p.
- Driscoll, D.G., Carter, J.M., Williamson, J.E., and Putnam, L.D., 2002, Hydrology of the Black Hills Area, South Dakota: U.S. Geological Survey Water Resources Investigations Report 02-4094, 150 p.
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, US Army Corps of Engineers, Draft Report-Final
- Strobel, M.L., Jarrell, G.J., Sawyer, J.F., Schleicher, J.R., and 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, 3 sheets, scale 1:100,000
- Strobel, M.L., Galloway, J.M., Hamade, and G.R., Jarrell, G.J., 2000, Potentiometric Surface of the Minnelusa Aquifer in the Black hills Area, South Dakota: U.S.

Geological Survey Hydrologic Investigations Atlas HA-745-C, 2 sheets, scale
1:100,000

Water Rights Program, 2002, "Irrigation Use Summary": DENR-Water Rights Program

Water Rights Program, 2003a, "Domestic Well Log Files": DENR-Water Rights Program,

Water Rights Program, 2003b, "Observation Well Files": DENR-Water Rights Program

Water Rights Program, 2003c, "Water Permit Files": DENR-Water Rights Program,



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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1787-1, Kaski Homes, Inc.**

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. 1787-1, Kaski Homes, Inc., c/o Ryan Kaski, PO Box 341, Piedmont SD 57769.

The Chief Engineer is recommending APPROVAL of Application No. 1787-1 because 1) 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 qualification:

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
April 21, 2003



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

April 22, 2003

Kaski Homes Inc
% Ryan Kaski
PO Box 341
Piedmont SD 57769

Dear Mr. Kaski:

Water Permit Application Nos. 1786-1 and 1787-1 for suburban housing development 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 Times-Tribune printed at Sturgis, SD (Ph # 605-347-2503). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and a report on the applications 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 recommendations, 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 applications.

Instruction to Newspaper - Publish first Notice on April 30, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 1786-1 and 1787-1 to Appropriate Water

Notice is given that Kaski Homes, Inc. c/o Ryan Kaski, PO Box 341, Piedmont SD 57769 has filed the following applications for water permits.

Application No. 1786-1 proposes to appropriate 0.1 cubic feet of water per second (45 gallons per minute) from one well (Minnelusa Formation) 300 feet deep located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29-T4N-R6E. The water is for suburban housing development use at Pine Haven Estates.

Application No. 1787-1 proposes to appropriate 0.1 cubic feet of water per second (45 gallons per minute) from one well (Minnelusa Formation) 300 feet deep located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5-T3N-R6E. The water is for a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 1786-1 and 1787-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations 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 recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 May 19, 2003.

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

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

April 22, 2003

Meade Co Times-Tribune
PO Box 129
Sturgis SD 57785-0129

ATTENTION: Legal Public Notice

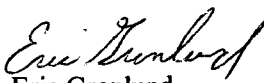
Enclosed is a Notice of Hearing on Application Nos. 1786-1 & 1787-1 to Appropriate Water to be published twice. Please publish the first notice on April 30, 2003 with the second publication 7 days later.

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 Kaski Homes Inc., %Ryan Kaski, PO Box 341, Piedmont SD 57769 (Ph # 605-381-0727).

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. 1786-1

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

Date _____

We are in receipt of your letter of April 22, 2003 enclosing Notice of Hearing to Appropriate Water by Application Nos. 1786-1 & 1787-1 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

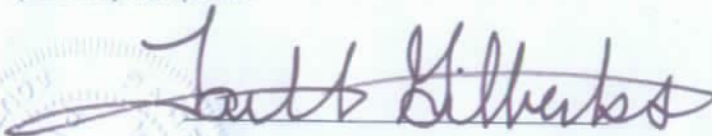
AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF MEADE

Faith Gilbertson, Being duly sworn, says, That the Meade County Times is and, during all times hereinafter mentioned, is a legal newspaper as defined in SDDCL 17-2-2, as amended, published in Sturgis, Meade County, South Dakota, by Country Media, Inc.; that affiant is and, during all of said times, was employed as an accounting clerk by the publisher of such newspaper and has personal knowledge of the facts stated in the affidavit; that the notice, order or advertisement, a copy of which is attached, was published in said newspaper for the issue (s) bearing the following dates:

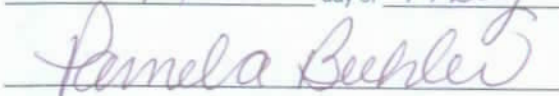
April 30	2003	_____	200
May 7	2003	_____	200
_____	200	_____	200
_____	200	_____	200
_____	200	_____	200

That the full amount of the fee charged for publishing the same, to-wit the sum of \$ 41.03, insures solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the division of the fees has been made with any person, and that no part of the fee has been agreed to be paid to any other person.


Accounting Clerk

Subscribed and sworn before me this

16 day of May 2003


Notary Public, South Dakota

My commission expires Feb 8, 2007

Water application

NOTICE OF APPLICATION NOS. 1786-1 and 1787-1 to Appropriate Water

Notice is given that Kaski Homes, Inc. c/o Ryan Kaski, PO Box 341, Piedmont SD 57769 has filed the following applications for water permits.

Application No. 1786-1 proposes to appropriate 0.1 cubic feet of water per second (45 gallons per minute) from one well (Minnelusa Formation) 300 feet deep located in the NW1/4 NW1/4 Section 29-T4N-R6E. The water is for suburban housing development use at Pine Haven Estates.

Application No. 1787-1 proposes to appropriate 0.1 cubic feet of water per second (45 gallons per minute) from one well (Minnelusa Formation) 300 feet deep located in the SE1/4 SE1/4 Section 5-T3N-R6E. The water is for a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 1786-1 and 1787-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting

the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations 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 recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 May 19, 2003.

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.

Publ April 30 and May 7, 2003
Meade County Times-Tribune

RECEIVED

MAY 19 2003

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 13 2003

Kaski Homes Inc
%Ryan Kaski
PO Box 341
Piedmont SD 57769

Dear Mr. Kaski:

Enclosed are Water Permit Nos. 1786-1 and 1787-1 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

RECEIVED

NOV - 5 2007

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. 1787-1

Date: October 30, 2007

I/We request that Water Right/Permit No. 1787-1 formerly owned by:

Kaski Homes, Inc.,

be transferred to:

New Owner Name: Pine Haven Estates Community Association, Inc.

Address: 13095 Lincoln Tarken Lane

City, State, Zip Piedmont SD 57769

Telephone No. 718-8317-Office
787-4391-Home

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

Well Lot A of Pine Haven Estates, Meade County, South Dakota,
as shown on the plat filed in Plat Book 20, Page 362.

☒ I understand that the validity of Water Right/Permit No. 1787-1 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.)

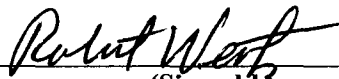
You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

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

Robert Wentz, President of Pine Haven
I, Estates Community Association, Inc., the new owner, certify that the above information is true and correct.

Pine Haven Estates Community Association, Inc.

By



(Signed by new owner)

Robert Wentz, President

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 11/5, 20⁰⁷

RECEIVED OF Pine Haven Estates 13095 Lincoln Tarken Ln Piedmont SD 57769

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

Fee for Application for Permit No. _____ and to put water to beneficial use _____	to Appropriate Water, to construct	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 _____	1787-1		
Fee for _____			
Fee for Issuing New Well Driller's License No. _____	for C.Y. _____		
Fee for Renewal of Well Driller's License No _____	for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____	for C.Y. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____	for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL		
		2	50

No.

3194

By *Shundal* *Erbele*
Chief Engineer

28



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 29, 2007

1786-1
1787-1

Robert Wentz, President
Pine Haven Estates Community Association Inc
13095 Lincoln Tarken Ln
Piedmont SD 57769

Dear Mr. Wentz:

I am writing to acknowledge receipt of the ownership changes you submitted for Water Permit Nos. 1786-1 and 1787-1. The transfers have been completed. The permits, formerly held by Kaski Homes Inc are now listed in the name of Pine Haven Estates Community Association, Inc.

Enclosed are Receipt Nos. 03193 and 03194 in the amounts of \$2.50 each which you paid for filing the ownership changes. You may keep these for your records.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

Permit No. 1787-1
Upper Cheyenne 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, **August 28, 2012**, made a thorough examination of the water use system constructed by **Pine Haven Estates Community Assoc., Inc** of **13095 Lincoln Tarken Lane, Piedmont, SD 57769** holder of Permit No. **1786-1**, bearing the priority of **February 13, 2003** authorizing the diversion of **0.1** cu. ft. per second of the waters of the **Minnelusa Formation** for **Surban Housing Development** purposes, in **Meade** County.

Inspection contact & relationship **Robert Wentz, President**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Cimarron Drilling Inc**
- 2) No. of Wells **1**
- 3) Depth(s) **300** feet
- 4) Static Water Level **160** feet
- 5) Well log is available **Y**

Casing:

- 1) Diameter **5** inches
- 2) Length **260** feet
- 3) Type **Plastic**

Pump:

- 1) Make **AY**
- 2) Size **5** hp
- 3) Capacity **33** gpm

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:

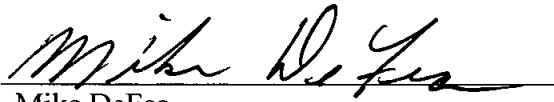
Approximately 1,030 feet north and 325 feet west of the SE corner of Section 5-T3N-R6E
(N 44.24487, W -103.41429) (SE ¼ SE ¼)

The works are capable of diverting and conveying to the place of use 0.07 cu. ft. per second of water which is to be used for a Surban Housing Development.

The license should be issued for 0.07 cfs.

All structures, wells and lands on map Y

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



Mike DeFea

Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: December 11, 2013

Farmer's Supply LLC Inc.2401 Bridge View Dr
Rapid City, SD 57701

Voice: 605-342-0800

Fax:

INVOICE

Invoice Number: 5922

Invoice Date: Jun 29, 2010

Page: 1

Bill To:DAVE WISE
21415 PINE VIEW CT
PIEDMONT, SD 57769**Ship to:**

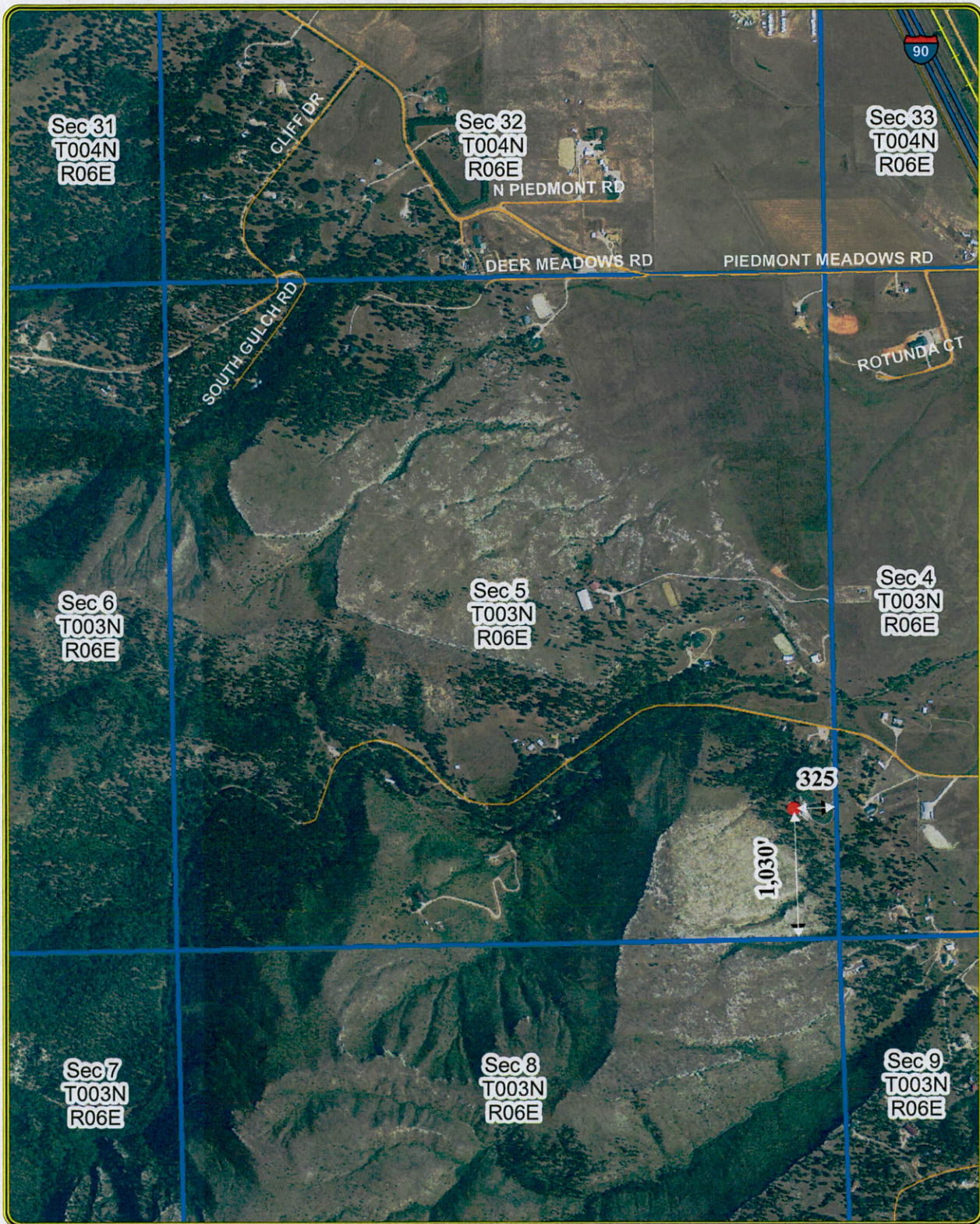
Customer ID	Customer PO	Payment Terms	
WISD		Net 5 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
			7/4/10

Quantity	Item	Description	Unit Price	Amount
1.00	SHAWN	LABOR - SHAWN, 08 RIG - 6-28-10	464.00	464.00
1.00	MISC	MISC SUPPLIES	13.92	13.92
1.00	MILES	MILEAGE - 08 RIG	37.50	37.50
1.00	23500R	5HP 33 GPM AY PUMP, DC B09	1,296.69	1,296.69
1.00	224-3038-602	5 HP 230 VOLT 3 WIRE MTR, 09J14	1,498.87	1,498.87
4.00	#8NICOPRESS	#8 NICOPRESS SPLICE	3.79	15.16
1.00	SHRINK	SHRINK TUBE, 1/2 X 24	9.52	9.52
3.00	TAPE	C-88 2" TAPE	4.03	12.09
1.00	TAPE	20 MILL WONDER TAPE	17.27	17.27
12.00	1BRDPC	1 BRASS DP COUPLING	10.85	130.20
1.00	TORQUE	TORQUE ARRESTOR	13.14	13.14
Subtotal				3,508.36
Sales/Exise Tax				195.86
Total Invoice Amount				3,704.22
Payment/Credit Applied				
TOTAL				3,704.22

Check/Credit Memo No:

Due upon receipt 2.0% per month will be charged on balances over 10 days.

Pine Haven Estates
Water Permit No. 1787-1



Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
December 11, 2013

0 950 1,900 3,800 Feet



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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 29 2014

1787-1

Robert Wentz, President
Pine Haven Estates Community Association Inc
13095 Lincoln Tarken Ln
Piedmont SD 57769

Dear Mr. Wentz:

Enclosed is Water License No. 1787-1. This is the final water right document completing your process of obtaining a Water Right. Included with your license 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. 1787-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged.

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

Sincerely,

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1787-1**

(1) Kaski Homes Inc made Application No. 1787-1, July 23, 2002 for a water permit to divert 0.10 cubic feet of water per second from ground water – one well (Minnelusa Formation), Meade County, South Dakota for suburban housing development purposes. Permit No. 1787-1, with a priority date of February 13, 2003 was approved May 19, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 19, 2008 and for the application to beneficial use of said water on or before May 19, 2012.

On November 5, 2007, Water Permit No. 1787-1 was transferred from Kaski Homes Inc. to Pine Haven Estates Community Association Inc., 13095 Lincoln Tarken Lane, Piedmont SD 57769.

(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 0.07 cubic feet of water per second for beneficial use.

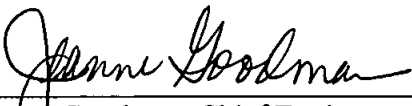
The location of the diversion point is 1,030 feet north and 325 feet west of the SE corner of Section 5, T3N, R6E (SE ¼ SE ¼).

(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 Pine Haven Estates Community Association Inc., 13095 Lincoln Tarken Lane, Piedmont SD 57769 the holder and/or owner of Water Right No. 1787-1 is issued a license to appropriate water, the right to use 0.07 cubic feet of water per second from ground water – one well (Minnelusa Formation) with a priority date of February 13, 2003 from the location 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. 1787-1 and subject to the following qualification:

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



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 29 2014

date

