

WATER PERMIT NO. 1793-1

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

Address: **PO Box 341, Piedmont SD 57769**

Phone: **605 381-0727**

Amount of Water Claimed: **0.17 cfs (75 gpm)**

Total Acres: **NA**

Source of Water Supply: **groundwater**

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

County: **Meade**

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

Location: **3 miles southeast of Piedmont**

PRIORITY Date Received: **7-23-02**

Application/License Fee: **\$200**

Corrected Application Received: **5-13-2003**

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

Remarks: **Autumn Meadows Subdivision**

Diversion Point: **NE ¼ SW ¼ Sec 21-T3N-R7E**

Land to be Irrigated: **NA**

Depth of Well: **400 feet**

Well Driller: : **Cimarron Drilling**

Remarks:

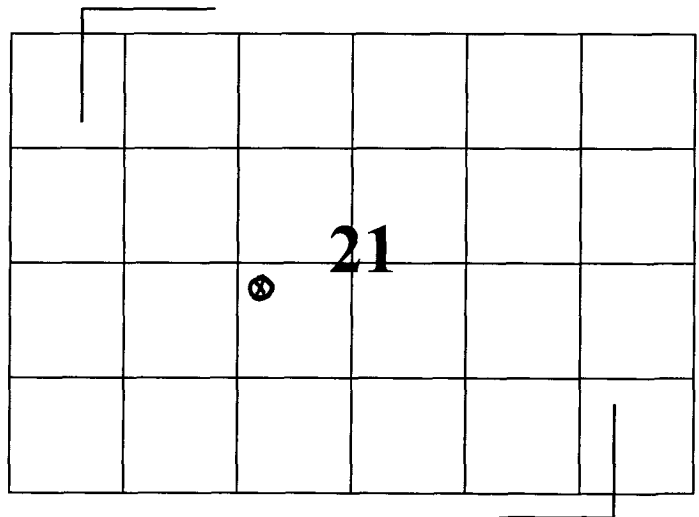
Type of Map: **plat**

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

Reviewed and the Number Assigned on: **5-13-03**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



SOUTH DAKOTA
WATER PERMIT NO. 1793-1

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 May 13, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1793-1 to Kaski Homes, Inc., 1935 Samco Rd, #102, Rapid City SD 57702-6223 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. 1793-1 appropriates 0.17 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara Formation) 400 feet deep located in the NE ¼ SW ¼ Section 21-T3N-R7E
2. The water appropriated shall be used for the purpose of suburban housing development at Autumn Meadows Subdivision and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 1793-1 is August 11, 2003.
5. The date from which applicant may claim right is May 13, 2003.
6. One-fifth of the construction is to be completed on or before February 11, 2006.
7. All construction is to be completed on or before August 11, 2008.
8. Water is to be put to beneficial use on or before August 11, 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

SEP 23 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	(office use only)	
	No. <u>1793-1</u>	Hydrologic Unit <u>10120202</u>
	Basin <u>Belle Fourche R</u>	
	Newspaper <u>Meade Co Times Tribune, Sturgis</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. Phone (605) 381-0727
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address P.O. Box 341 Piedmont 1935 Sumco Rd #102 State SD 57769
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.17 *CFS or 75 **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 S1/2 of section 21 T3N, R7E, B4M
(NE1/4 SW1/4) 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)
19 Lot subdivision 3 acre lots (Residential)
Autumn Meadows Subdivision

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 20 02
DAWN CHRISTENSEN
NOTARY PUBLIC
State of South Dakota
Dawn Christensen
Commission Expires 6-17-2005

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 $\frac{7}{8}$ " Depth 400'
- 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 340'
- f) Depth to Water (ground surface to water level) 4'
- g) Distance to nearest existing domestic well:
- On applicants property ✓ On property owned by others 1/2 mile or more

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Septic Tank & Drainfield all lots.
- b) System Capacity (gallons) 1600 gal. septic tanks Year Constructed 2003
- c) Connected to the City of N/A Sanitary System ✓

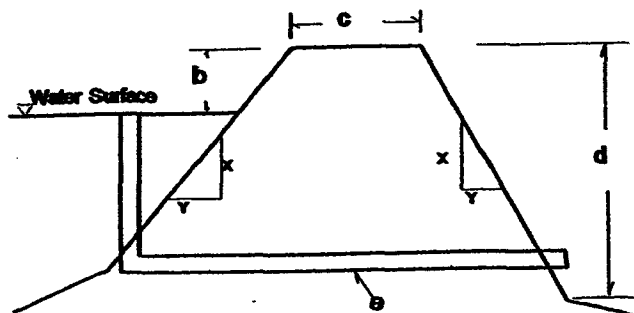
3. Dugout Information

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

4. Water Storage Dams

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

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:
- _____
- _____



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

Nº 417236

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>1793-1</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>1793-1</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

Darland Ebele

Chief Engineer

gm

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date May 13, _____, 2003

RECEIVED OF Kaski Homes Inc., Ryan Kaski, 1935 Samco Road Suite 102, Rapid City SD 57702

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

Fee for Application for Permit No. <u>1793-1</u> to Appropriate Water, to construct and to put water to beneficial use	100	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	100.00

No.

000774

By

Darlene Ebele

Chief Engineer

gm

SW 1/4
SEC. 16

SE 1/4
SEC. 16

NW 1/4
SEC. 21

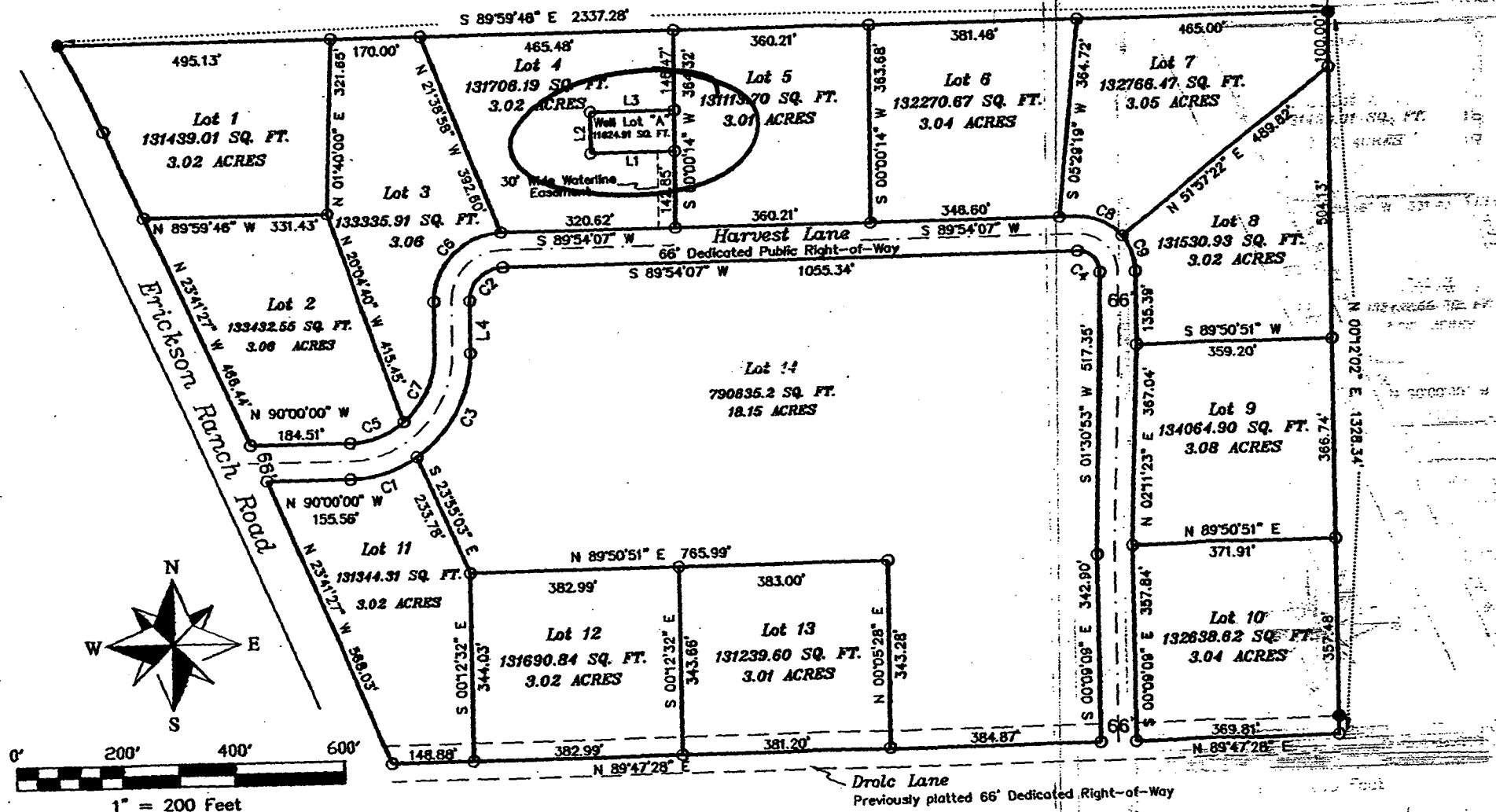
NE 1/4
SEC. 21

N. 1/4 CORNER.
SECTION 21, T3N, R7E

SURVEY PLAT OF

Lots 1 thru 14, and Well Lot "A" of Autumn Meadows Subdivision

Formerly Tract 2 of McEwen Ranch Subdivision,
Located in S1/2 of Section 21, T3N, R7E, BHM,
Meade County, South Dakota



LEGEND

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	226.00'	133.09'	131.17'	S 73°06'18" W	33°44'28"
C2	226.00'	133.09'	131.17'	S 44°58'59" W	90°02'22"

all taxes which are liens upon the land described herein, the records of my office, are fully paid.

Dated this 20 day of May, 2002

Don Bertland
Meade County Treasurer



COUNTY AUDITOR'S CERTIFICATE

I, Auditor of Meade County, South Dakota, do hereby certify that at an official meeting held on the 6 day of June, 2002, the Meade County Commissioners, by resolution, did approve the plat as shown hereon.

Don Schreff
Auditor of Meade County



PLANNING COMMISSION

Approved by the Planning Commission, Meade County, South Dakota.

Dated this 20 day of MAY, 2002

Signed: Carl B. ...
Chair

Attest: Kiki ...
Secretary

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access shall require additional approval.

Dated this 6 day of June, 2002

Don ...
Highway or Street Authority



CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have on record in my office a copy of the within described plat.

Dated this 5 day of June, 2002

Kiki ...
Meade County Director of Equalization

OFFICE OF REGISTER OF DEEDS Doc# 02721

Filed for record this 7 day of June, 2002

and recorded in book of plats 2 on page 8

Angela M. ...
Meade County Register of Deeds

Fee \$10.00 Cash 9:03 am

004617 JUN 12 8

in plat book 19 on page 36, Meade County Register of Deeds

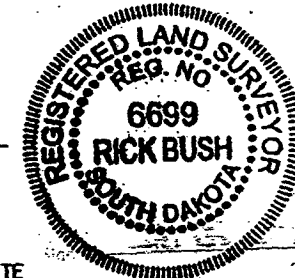
- Utility & Minor Drainage Easements:
8' Wide on the interior side of all lot lines
- Building Restrictions: Per Ordinance 20 Requirements

SURVEYOR'S CERTIFICATE

I, Ricky J. Bush, 1021 Junction Ave., Sturgis, SD, being a Registered Land Surveyor in the State of South Dakota, do hereby state that at the request of the Owners listed hereon, I have surveyed and platted the property shown and described hereon. I have marked upon the ground the boundaries in the manner shown, and that the plat is correct to the best of my knowledge, information and belief.

IN WITNESS WHEREOF
I hereunto set my hand and seal
this 20 day of MAY, 2002

Ricky J. Bush
Registered Land Surveyor No. 6699



OWNER'S CERTIFICATE

We, Kaski Homes Inc., do hereby certify that we are the Owners of the land shown and described hereon, and that we did authorize and do join in and approve the survey and plat. We further certify that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations. Dedicated right-of-way as shown hereon is dedicated to public use.

IN WITNESS WHEREOF
We hereunto set our hands this 20 day of May, 2002

Ryan J. Kaski
President of Kaski Homes Inc.

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA }
COUNTY OF Meade } SS

On this 20 day of May, 2002, before me, the undersigned officer, personally appeared Ryan J. Kaski, President of Kaski Homes Inc., known to me to be the persons who executed the foregoing Owners' Certificate and acknowledged to me that they executed the same for purposes therein contained.

IN WITNESS WHEREOF, I hereby set my hand and official seal.
Shirley V. Garner
Notary Public

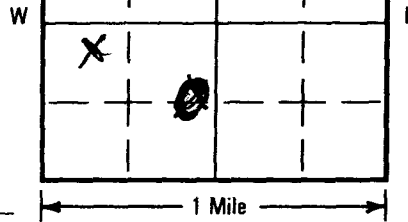


SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 Sec 21 Twp 3-N Rg 7-E
 County Meade Lot A, Tract #2 Meade Meade

Please mark well location with an "X"



Well Completion Date

4-20-02

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 150 ft. from septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary Air-Water

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
200 LB/FT	5 IN	0 FT	340 FT	7 7/8" IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Portland No. of Sacks 60 Grout Weight 94 1/2 lb./gal From 0 ft To 340 ft
Type III _____ lb./gal _____ ft _____ ft

Describe grouting procedure Pressure grout thru casing
Displace with water to surface and pump

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

Laboratory sent to for water quality analysis

NO, Why Not? Residuals

owner to complete

Well Owner: Ryan Kaski, Autumn Meadows
 Business Name: Kaski Homes Inc.
 Address: 1935 Red Box Sameo Sd
Rapid 57702

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Brown & Grey SHALE	0'	40'
DARK SHALE	40'	140'
White SHALE	140'	200'
Grey SHALE & White SAND	200'	260'
Red SHALE	260'	280'
White SHALE	280'	290'
Grey SHALE	290'	340'
White SAND (Lakota)	340'	385'
Green SHALE (Lakota)	385'	400'

STATIC WATER LEVEL 10 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: Air-Developed☐ Bailed _____☒ Other _____

Pumping Level Below Land Surface

400 ft. After 2 Hrs. 8140 pumped 100+ GPM200 ft. After 2 Hrs. 8140 pumped 75+ GPMIf pump installed, pump rate 75 GPM

REMARKS

Installed 7 1/2 HP 3 phase
 Pump & motor 75 GPM
 Set @ 300'

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. DeutchSignature of Well Owner or Equitable Property Holder: RECEIVED

FEB 25 2003

Date: _____ 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

March 20, 2003

Ryan Kaski
PO Box 341
Piedmont SD 57769

Dear Mr. Kaski:

A well driller's report filed with us by Cimarron Drilling Inc. shows a new well has been completed located in the SW ¼ Sec 21-T3N-R7E (Autumn Meadows). Based on the information in the report, a water permit may be needed for this water use.

1. According to state law, if water is to be conveyed to users by a water distribution system diverting more than a peak rate of eighteen gallons per minute, the system will need a water permit.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Enclosed are application forms and instruction sheet to apply for a water permit, if necessary. The completed forms with the application fee and map can be returned to: Water Rights Program, 523 E. Capitol, Pierre, SD 57501. Please respond by May 1, 2003.

If you believe your water use does not require a water permit or that you have an existing permit, or if help is needed completing the application forms, please contact Ron Duvall or me at (605) 773-3352. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak
Water Rights Program

enclosures



cetec@rushmore.com

May 9, 2003

Ms. Karen Schlaak
S.D. Dept. of Environment & Natural Resources
Division of Environmental Services
Drinking Water Program
Joe Foss Building
523 E. Capitol Ave.
Pierre, SD 57501-3182

RECEIVED

MAY 13 2003

WATER RIGHTS
PROGRAM

Re: **Autumn Meadows Subdivision**

Dear Ms. Schlaak:

Your letter of April 8 requested supplemental data and additional \$100 fee to complete the water rights application for Autumn Meadows' water well.

The information and additional fee is enclosed. The Dry Creek information and fee will be forwarded soon also.

Sincerely,

CETEC Engineering Services, Inc.

A handwritten signature in black ink, appearing to read "Greg Wierenga".

Greg Wierenga, P.E.
Project Manager

GMW/sjf

Enclosures: Check #7054
Supplemental Information

cc: Ryan Kaski



CETEC02132.00\5/9/2003



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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. 1793-1, 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. 1793-1, Ryan Kaski, PO Box 341, Piedmont SD 57769.

The Chief Engineer is recommending APPROVAL of Application No. 1793-1 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
July 10, 2003

WATER PERMIT APPLICATION NO. 1793-1
KASKI HOMES, INC.
JUNE 18, 2003

Water Permit Application No. 1793-2 proposes to appropriate 0.17 cubic feet of water per second (75 gallons per minute) from one existing well (Inyan Kara aquifer), 400 feet deep located in the NE¼ SW¼ Sec. 21, T3N-R7E. The water is for a suburban housing development at Autumn Meadows Subdivision.

AQUIFER: Inyan Kara (INKR)

GENERAL:

The Inyan Kara aquifer consists of the Fall River Formation and the underlying Lakota Formation. The Fuson Shale sometimes separates these two formations, but it is often difficult to differentiate the bottom of the Fall River from the top of the Lakota. The two formations are probably hydraulically connected and therefore can be considered a single aquifer. In general, the Inyan Kara aquifer consists of interbedded sandstone (thin bedded to massive), siltstone, and shale. The aquifer is areally extensive, underling over 36,000 square miles of western South Dakota (Allen and others, 1984). The aquifer underlies 2,107,520 acres and contains an estimated 36,354,720 acre-feet of recoverable water in storage in Meade County alone county (Allen and others, 1984). This well site is less than one mile east from the outcrop (recharge area) of the Inyan Kara. The top of the aquifer is reported to be 340 feet below grade on the "South Dakota Well Completion Report" that accompanies this application. The static water level of this well was reported to be 10 feet below grade when the well was completed April 20, 2002.

WATER AVAILABILITY:

Water Rights Program monitors seven observation wells completed into the Inyan Kara Aquifer in the Black Hills Area. Hydrographs of most of these wells indicate the aquifer is in dynamic equilibrium showing only minor changes in water level corresponding with seasonal or climatic conditions. The nearest observation well to this permit, MD-99A, is located approximately one and three-fourths miles northwest of this well. The hydrograph for this well is shown in figure 1.

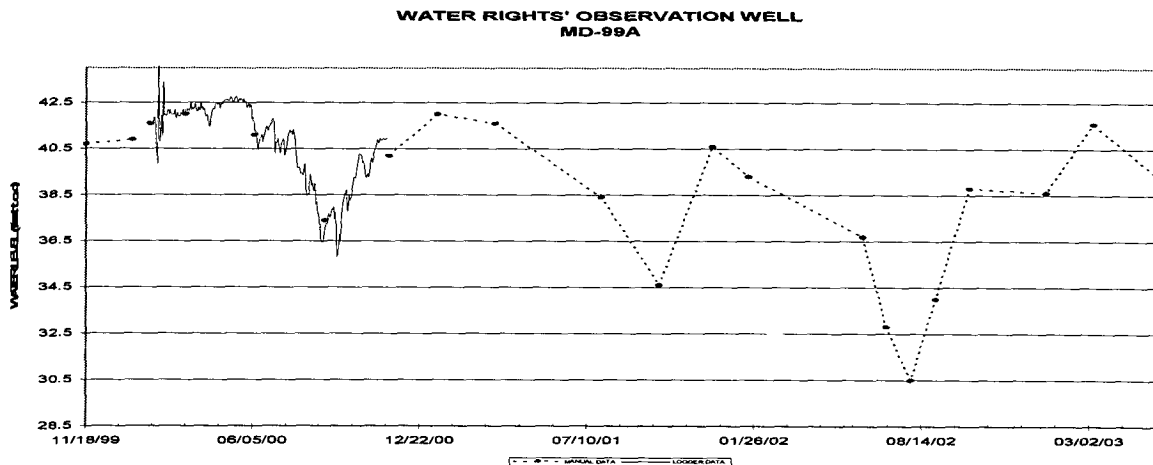


Figure 1. Hydrograph of Inyan Kara Observation Aquifer Well located approximately 1.75 miles northwest of the well proposed to be used for this appropriation.

A second observation well, PE-95E, is located approximately 6.25 miles south east of 1793-1.

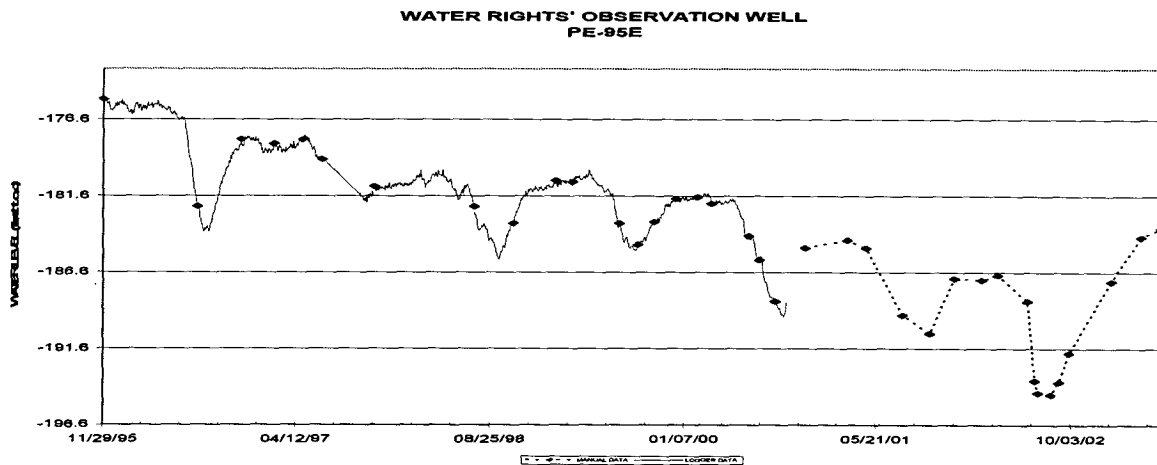


Figure 2. Hydrograph of Inyan Kara Observation Aquifer Well located approximately 6.25 miles southeast of the well proposed to be used for this appropriation.

The information from the hydrographs indicate water is available for this appropriation (Water Rights, 2003b).

EXISTING WATER RIGHTS:

There are several domestic well logs on file for wells completed into the Inyan Kara Aquifer in this area (Water Rights, 2003a).

The Inyan Kara Aquifer has been developed in at least 23 counties in South Dakota with 136 Water Rights/Permits (Water Rights, 2003c). There are 24 rights/permits appropriating water from the Inyan Kara Aquifer in Meade County. There are 13 Water Permits/Rights appropriating groundwater within three miles of the well that is to supply water for this application. The Inyan Kara aquifer is hydraulically separated from deeper and shallower aquifers. Therefore wells in aquifers other than the Inyan Kara are not expected to be affected by diversions from this wells. There are five Water Rights/Permits appropriating water from the Inyan Kara aquifer within approximately three miles of this well, they are shown in table one.

PERMIT_NO	LAST_NAME	USE	CFS
1597-1	CROOKED OAKS CANYON	SHD	0.10
1656-1	LOFTY PINES HOMEOWNERS	SHD	0.09
1664-1	BUFFALO RIDGE WATER USERS	SHD	0.10
1700-1	WESTERN MANAGEMENT CORP	SHD	0.11

Table 1. Inyan Kara appropriations within three miles of 1793-1

The adequate wells completed into the Inyan Kara aquifer should not be adversely impacted by interference caused by pumping this well due to the low diversion rate proposed by this application and the distance between wells.

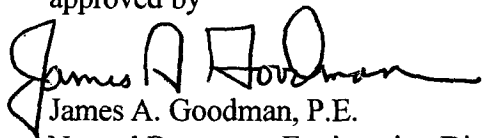
CONCLUSIONS:

1. The Inyan Kara Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. Well interference should not be a problem in this area.
3. The Completion Report supplied for the well to be used to supply this appropriation indicates the well was constructed in accordance with the SD Well Construction Standards.



Ken Buhler
Natural Resources Engineering Specialist

approved by



James A. Goodman, P.E.
Natural Resources Engineering Director

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 Inyan Kara Group in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-744-A, 2 sheets, scale 1:100,000
- Strobel, M.L., Galloway, J.M., Hamade, G.R., and Jarrell, G.J., 2000, Potentiometric Surface of the Inyan Kara Aquifer in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-745-A, 2 sheets, scale 1:100,000
- Water Rights, 2003a, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights, 2003b, "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights, 2003c, "Water Permit Files" DENR-Water Rights Program, Joe Foss Building,
Pierre, SD 57501



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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.

July 11, 2003

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

Dear Mr. Kaski:

Water Permit Application No. 1793-1 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 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 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

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

July 11, 2003

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1793-1 to Appropriate Water to be published twice. Please publish the first notice on July 23, 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. 1793-1

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

Date _____

We are in receipt of your letter of July 11, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 1792-1 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper - Publish first Notice on July 23, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1793-1 to Appropriate Water

Notice is given that Kaski Homes, Inc., PO Box 341, Piedmont SD 57769 has filed an application for a water permit to appropriate 0.17 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara Formation) 400 feet deep located in the NE ¼ SW ¼ Section 21-T3N-R7E. The water is for a suburban housing development at Autumn Meadows Subdivision.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1793-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 11, 2003.

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.

AFFIDAVIT OF PUBLICATION

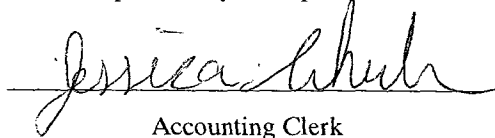
STATE OF SOUTH DAKOTA
COUNTY OF MEADE

Jessica Wheeler, Being duly sworn, says, That the Meade County Times/Black Hills Press 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:

<u>July 23</u> 200 <u>3</u>	<u>200</u>
<u>July 30</u> 200 <u>3</u>	<u>200</u>
<u>200</u>	<u>200</u>
<u>200</u>	<u>200</u>
<u>200</u>	<u>200</u>

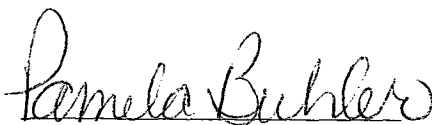
That the full amount of the fee charged for publishing the same, to-wit the sum of

\$ 34.65, I insure 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

4 Day of Aug 2003


Notary Public, South Dakota

My Commission expires Feb 8, 2007

Water application

NOTICE OF APPLICATION NO. 1793-1 to Appropriate Water

Notice is given that Kaski Homes, Inc., 1935 Samco Road #102, Rapid City, S.D., 57702-6223, has filed an application for a water permit to appropriate 0.17 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara Formation) 400 feet deep located in the NE 1/4 SW 1/4 Section 21-T3N-R7E. The water is for a suburban housing development at Autumn Meadows Subdivision.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1793-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 11, 2003.

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.

Publ July 23 and 30, 2003
Meade County Times-Tribune

RECEIVED

AUG 14 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

SEP 23 2003

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

Dear Mr. Kaski:

Enclosed is Water Permit No. 1793-1 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

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

Date 10-1-03

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

RECEIVED
OCT - 2 2003
WATER RIGHTS
PROGRAM

FROM: Kaski Homes Inc.
(name)
1935 Samco Rd Ste. 102
(address)
Rapid City SD 57702
(city, state, zip)

(605) 342-9606
(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

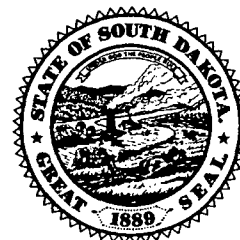
Water Permit No. 1793-1 states that the water use system is to be constructed by Aug 11th 2008, and water is to be put to beneficial use by Aug 11th 2012.
(date) (date)

The water use system was completed on 9-19-03.
(date)

Applying the water to beneficial use was completed on 9-19-03.
(date)

You may schedule an investigation so that the water license may be issued.

R. Zisk-
(signature)



Permit No. 1793-1
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, **September 22, 2009**, made a thorough examination of the water use system constructed by **Kaski Homes** of **1935 Samco Rd. #102, Rapid City, SD 57702** holder of Permit No. **1793-1**, bearing the priority of **May 13, 2003** authorizing the diversion of **0.17** cu. ft. per second of the waters of the **Inyan Kara Formation** for a **Surban Housing Development**, in **Meade** County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Cimarron Drilling Inc.**
- 2) No. of Wells **1**
- 3) Depth(s) **400** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **5** inches
- 2) Length **340** feet
- 3) Type **Steel**

Screen:

- 1) Type **Open Hole**

Pump:

- 1) Make **Grundfos**
- 2) Size **7.5 hp**
- 3) Capacity **75** 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**

Approximately 2420 feet north and 1430 east of the SW corner of Section 21-T3N-R7E
(N 44.20524, W -103.28675) (NE ¼ SW ¼)

Report of Examination of Works

Permit No. 1793-1

The works are capable of diverting and conveying to the place of use 0.17 cu. ft. per second of water which is to be used for a **Surban Housing Developement**.

The license should be issued for 0.17 cfs.

All structures, wells and lands on map Y

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



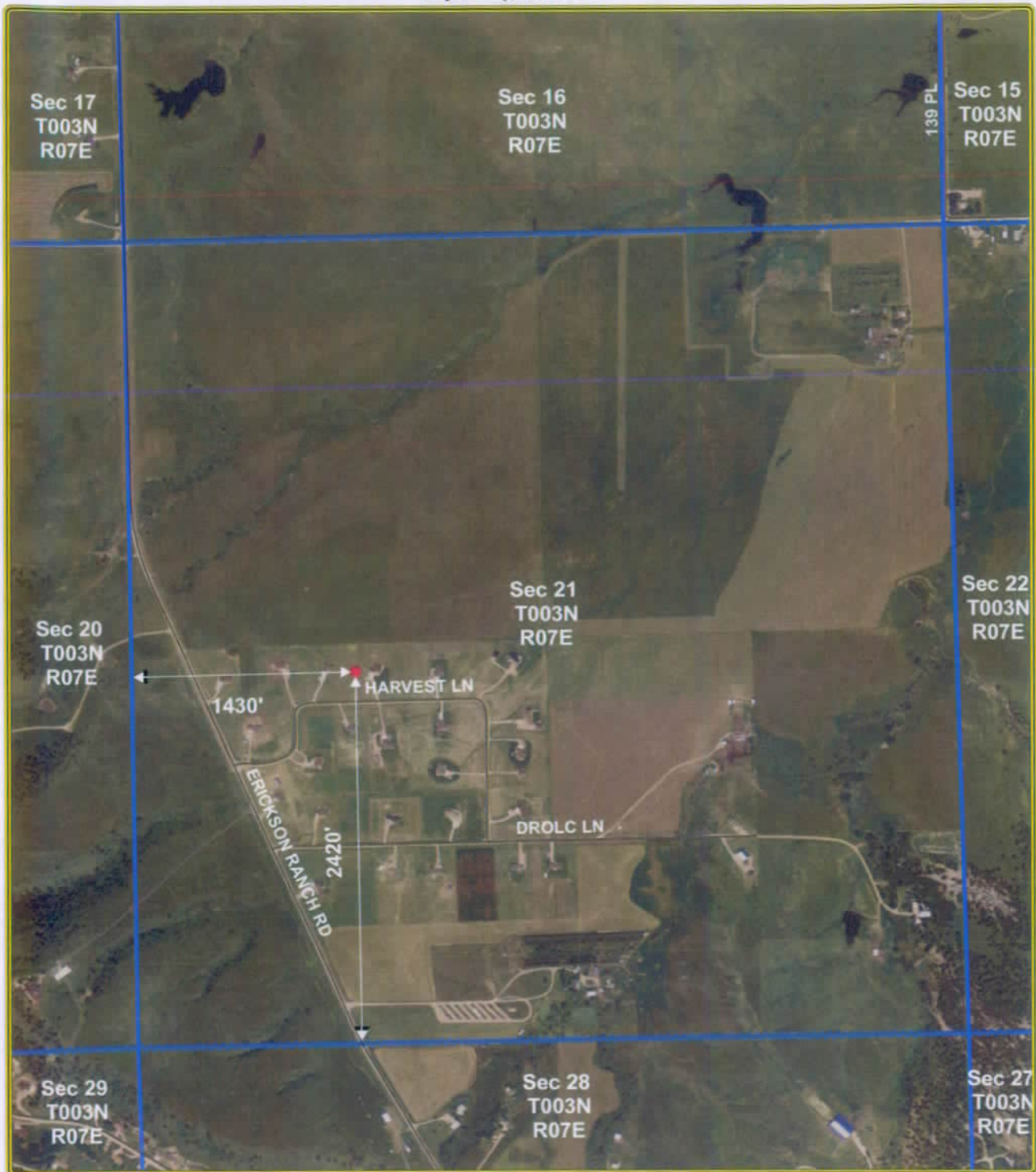
Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: **December 7, 2009**

Water Permit No. 1793-1

Kaski Homes, Inc
1935 Samco Rd
Rapid City, SD 57702



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
December 7, 2009

0 415 830 1,660 2,490 3,320 Feet



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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

APR 09 2010

1793-1

Kaski Homes Inc
1935 Samco Rd # 102
Rapid City SD 57702

Dear Sir:

Enclosed is Water License No. 1793-1. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1793-1

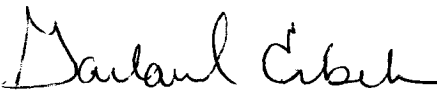
(1) Kaski Homes, Inc., 1935 Samco Rd, #102, Rapid City SD 57702 made Application No. 1793-1, July 23, 2002 for a water permit to divert 0.17 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for suburban housing development purposes. Permit No. 1793-1, with a priority date of May 13, 2003 was approved August 11, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 11, 2008 and for the application to beneficial use of water on or before August 11, 2012.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 1793-1 is issued a license, bearing a priority date of May 13, 2003 to appropriate 0.17 cubic feet of water per second from groundwater for suburban housing development purposes at Autumn Meadows Subdivision.

The diversion point is located: approximately 2,420 feet north and 1,430 feet east of the southwest corner of Section 21-T3N-R7E (NE ¼ SW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1793-1 including the following now applicable 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.



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

APR 09 2010

date



SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

JUL - 2 2012

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 1793-1

Date: June 29, 2012

I/We request that Water Right/Permit No. 1793-1 formerly owned by:
Kaski Homes, Inc. be transferred to:

New Owner Name: Autumn Meadows Sanitary District

Address: P.O. Box 471

City, State, Zip Black Hawk SD 57718 Telephone No. 605-391-4353

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

Well Lot "A" of Autumn Meadows Subdivision, Meade County, South Dakota, as shown on Plat filed in Plat Book 21 on Page 8.

☒ I understand that the validity of Water Right/Permit No. 1793-1 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 Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Kirk Dennis, President of the Board of Trustees of
Autumn Meadows Sanitary District, the new owner, certify that the above information is true and correct.


(signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/2, 20 12

RECEIVED OF Autumn Meadows Sanitary Dist PO Box 471 Black Hawk SD 57718

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1793-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **05479**

By Harold Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

July 2, 2012

1793-1

Kirk Dennis
Autumn Meadows Sanitary District
PO Box 471
Black Hawk SD 57718

Dear Mr. Dennis:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for transferring Water Right No. 1793-1.

The ownership change has been completed. The water right formerly held by Kaski Homes Inc., is now listed in the name of Autumn Meadows Sanitary District.

Enclosed for your records is Receipt No. 05479 in the amount of \$50.00. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure