

WATER PERMIT NO. 1799-1

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

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

Phone: **605 381-0727**

Amount of Water Claimed: **0.16 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 tanks and drain field**

Location: **15 miles east of Piedmont**

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

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

Corrected Application Received: **7-16-2003**

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

Remarks: **Dry Creek Estates**

Diversion Point: **SW ¼ SE ¼ Sec 9-T3N-R9E**

Land to be Irrigated:

Depth of Well: **2340 feet**

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

Remarks:

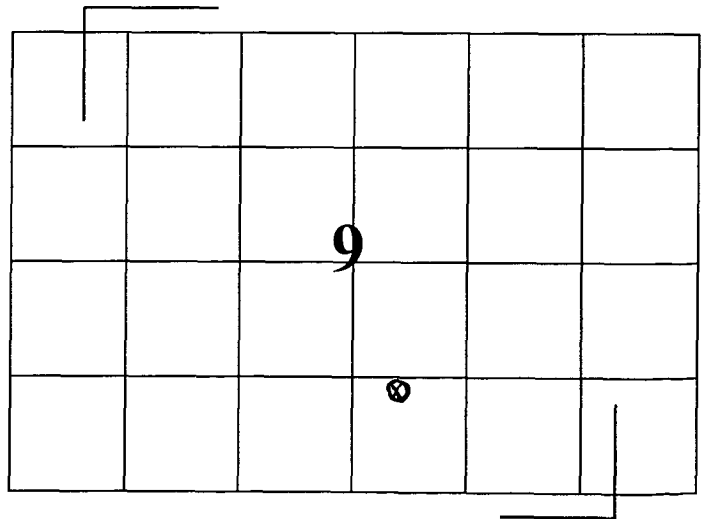
Type of Map: **plat**

Prepared by: **Gregory M Wierenga, PE**

Reviewed and the Number Assigned on: **7-16-03**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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>1799-1</u>	(office use only) Hydrologic Unit <u>10120111</u>
	Basin <u>Upper Cheyenne</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 State SD 57702-6223
(Street, RR, or Box and City) (Zip Code)
1935 Sance Rd Rapid City
- Amount of water claimed 0.167 *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 SE 1/4 Sec. 9 T2N3N R9E (SW 1/4 SE 1/4)
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)
Residential Housing project 10 acre lots & 5 acre lots
Dry Creek Estates

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 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

Subscribed and sworn to before me this 22nd day of July 20 02
DAWN CHRISTENSEN
NOTARY PUBLIC
State of South Dakota
Sup. Commission
17-2005

**SOUTH DAKOTA
WATER PERMIT NO. 1799-1**

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 July 14, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1799-1 to Kaski Homes, Inc., 1935 Samco Rd, 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. 1799-1 to appropriate 0.167 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara Formation) 2340 feet deep located in the SW ¼ SE ¼ Section 9-T3N-R9E.
2. The water appropriated shall be used for the purpose of a suburban housing development at Dry Creek Estates 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. 1799-1 is October 14, 2003.
5. The date from which applicant may claim right is July 14, 2003.
6. One-fifth of the construction is to be completed on or before April 14, 2006.
7. All construction is to be completed on or before October 14, 2008.
8. Water is to be put to beneficial use on or before October 14, 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

DEC 10 2003

date



Supplemental Information

(only)

(type or print in ink)

Information - Proposed Construction

- Hole Diameter 8 3/4" Depth 2340
- Casing Type Steel Diameter 7" Thickness .25"
- Screen Type Per Forated by Goodwell & Sons 2254-2274 Thickness —
- Diameter 10 shots 2300-2310
- d) Gravel Pack — Length of Gravel Pack —
- e) Depth to Top of Water Bearing Material 2180'
- f) Depth to Water (ground surface to water level) 300'
- g) Distance to nearest existing domestic well:
- On applicants property — On property owned by others One 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) 1000 GAL. S.T. (TYP.) Year Constructed 2003
- c) Connected to the City of N/A Sanitary System —

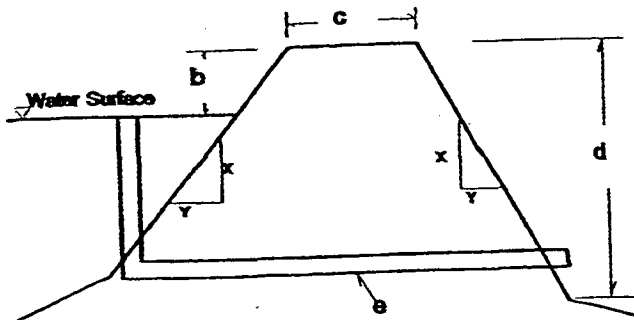
3. Dugout Information

- 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

Date JULY 16, 20 03

RECEIVED OF Kaski Homes Inc., 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>1199-1</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.

000832

By

J Darland Able
Chief Engineer
gm

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 417237

Pierre, July 23, 20 02

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>1799-1</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>1799-1</u> _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

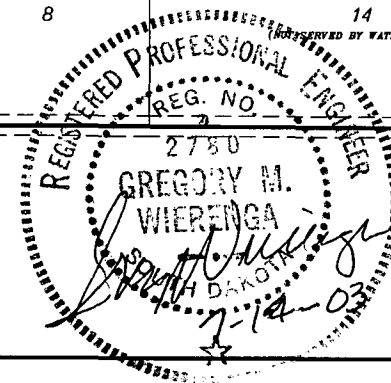
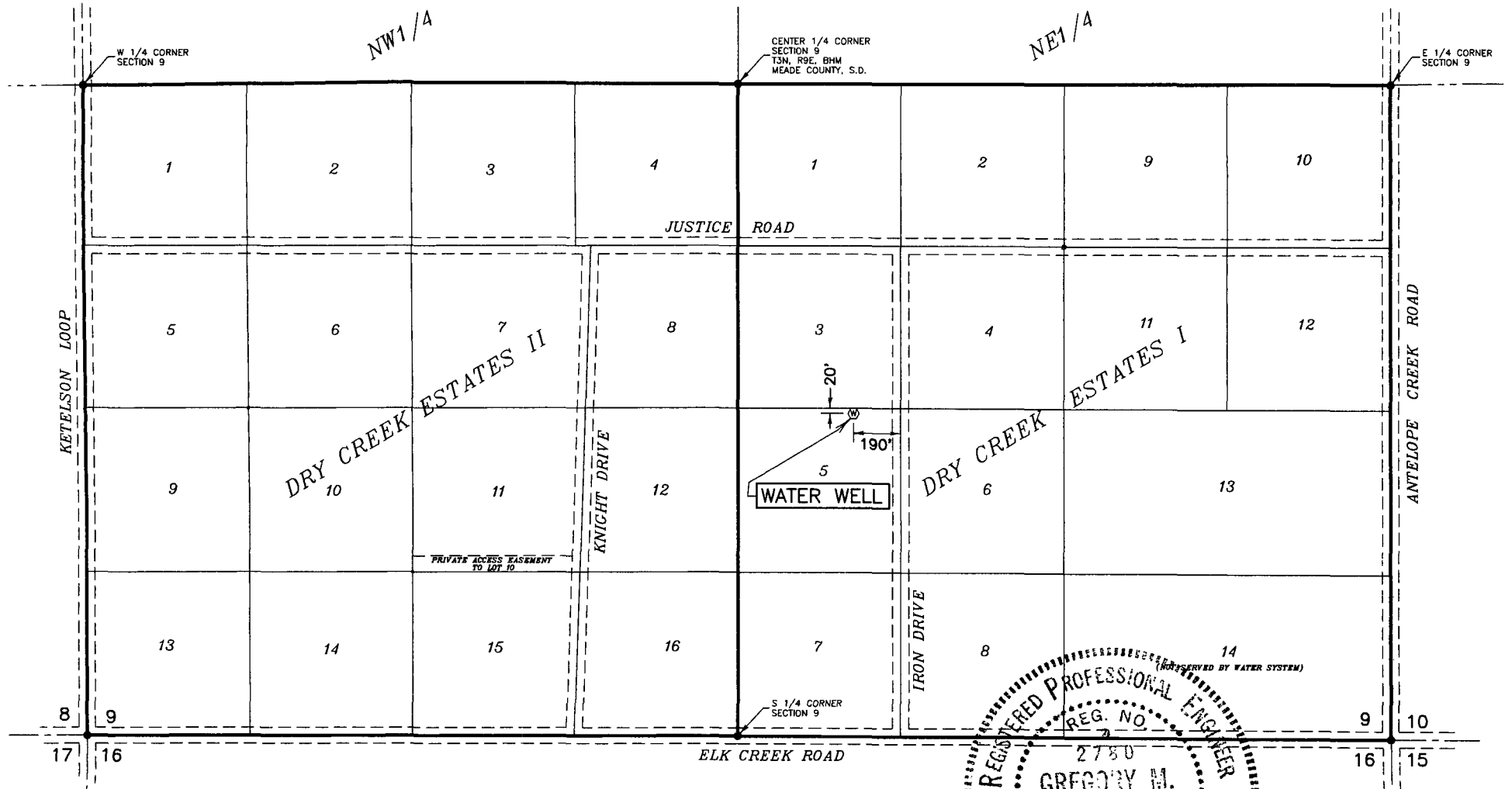
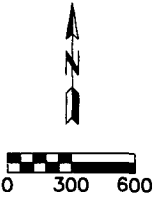
(Any Other Work Provided by Law)	Total	100 00

By

Chief Engineer

Darland Ebele
gm

LOCATION MAP
WATER WELL FOR DRY CREEK ESTATES
S 1/2 of Section 9, T3N, R9E, BHM
Meade County, South Dakota



CETEC

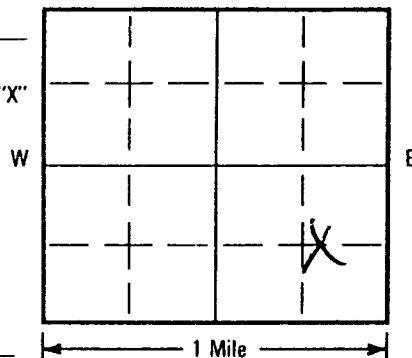
1799-1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 9 Twp 3N Rg 9E
 County Meade

Please mark well location with an "X"



Well Completion Date

10-24-01

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? N/A ft. from N/A (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
20.5 LB/FT	7 IN	0 FT	2336 FT	8 3/4 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Portland No. of Sacks 300 Grout Weight 94 1/2 lb./gal From 0 ft. To 2336 ft.
Type I II lb./gal _____ ft. _____ ft.
 Describe grouting procedure PRESSURE GROUT THRU CASING
THRU FLOAT SHOC, DISPLACE WITH WATER TO SURFACE WITH MUD PUMP.

SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 7 IN Length _____ FEETMaterial SteelSlot Size 20 Shot From 2254 Feet to 2274 FeetOther information 105 Shot's 2300' to 2310'logged & shot by CoedwellWAS 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? PelletsOWNER TO Complete

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

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Clay & Gravel	0'	15'
Blue shale	15'	480'
Fluffy Bluish shale	480'	760'
Grey shale & sticky at bottom	760'	1890'
Shale & tight sand	1890'	2180'
Sand with shale lenses	2180'	2270'
Red, Purple & Pink Sand	2270'	2320'
<u>(TAKAN KARA)</u>		
Green shale (Morrison)	2320'	2340'

STATIC WATER LEVEL 300 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

740 ft. After 2 Hrs. 150 GPM660 ft. After 1 Hrs. 60 GPM

If pump installed, pump rate _____ GPM

REMARKS Dry Creek Well #1

RECEIVED

FEB 12 2002

This well was drilled under license # 568 WATER RIGHTS PROGRAM

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: _____



**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) 1786-1

- 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 1787-1

- 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 17, 2002

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

Dear Mr. Kaski:

On July 23, 2002, you submitted several Applications for Permit to Appropriate Water Within the State of South Dakota for various suburban housing developments. You were notified what additional information was required to complete each application. A copy of that letter is enclosed. To date, we have not received the required information.

Obtaining a water permit that accurately reflects water use ultimately benefits the permit holder by protecting their right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, a water permit is required prior to using water.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 6, 2003

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

Dear Mr. Kaski:

On July 23, 2002, you submitted Applications for Permit to Appropriate Water Within the State of South Dakota, as well as the application/license fees for four suburban housing developments. Enclosed is another copy of our July 23rd letter, which lists what is required to complete each of the four applications.

As stated in previous correspondence, obtaining a water permit that accurately reflects the water use for each suburban housing development ultimately benefits the development by protecting it's right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352

enclosure

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:

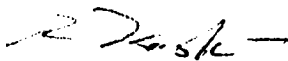
Well located in NW ¼ NW ¼ Section 29-T4N-R6E (Pine Haven Estates)
Well located in SE ¼ SE ¼ Section 5-T3N-R6E

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 8, 2003

CETEC Engineering
Greg Wieringa
PO Box 9014
Rapid City SD 57709

RE: Dry Creek Estates and Autumn Meadows Subdivision

Dear Mr. Wieringa:

In reference to our phone conversation this morning, enclosed are copies of *Application for a Permit to Appropriate Water within the State of South Dakota* submitted in July, 2002 by Ryan Kaski. Listed below is the information required to complete each of the applications.

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 (\$100 submitted 7-23-02).

Well located in the S ½ Section 21-T3N-R7E (Autumn Meadows Subdivision) 1793-1

- 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 (\$100 submitted 7-23-02).

Upon receipt of the above information, further processing of the applications will continue. If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures



cetec@rushmore.com

July 14, 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

JUL 16 2003

**WATER RIGHTS
PROGRAM**

Re: Dry Creek Estates

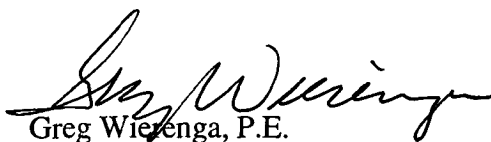
Dear Ms. Schlaak:

Your letter of April 8 requested supplemental data and additional \$100 fee to complete the water rights application for Dry Creek Estates well.

The signed map and supplemental information you requested and the \$100 fee is enclosed.

Sincerely,

CETEC Engineering Services, Inc.



Greg Wierenga, P.E.
Project Manager

GMW/sjf

Enclosures: Check #7422
Supplemental Information

cc: Ryan Kaski

◆
CETEC02132.00\7/14/2003

WATER PERMIT APPLICATION NO. 1799-1
KASKI HOMES, INC.
AUGUST 26, 2003

Water Permit Application No. 1799-1 proposes to appropriate 0.167 cubic feet of water per second (cfs) [75 gallons per minute] from one well (Inyan Kara aquifer) 2340 feet deep located in the SW¼ SE¼Sec. 9, T3N-R9E, in Meade County. The water is to be used for suburban housing, development at Dry Creek Estates.

AQUIFER: Inyan Kara (INKR)

GENERAL:

The Inyan Kara well this application proposes to use was completed October 24, 2001. The Water Well Completion Report on file for the well indicates the well was completed in accordance with the SD Well Construction Standards.

The Inyan Kara aquifer consists of the Fall River Formation and the underlying Lakota Formation. 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, 1985). 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 (Allen and others, 1985). The Inyan Kara outcrops over 11 miles southwest of this well site (Strobel and others, 1999). The top of the Inyan Kara is assumed from the log from this well to be between 1,890 and 2,180 feet below grade and the static water level of the well was reported to be 300 feet below grade. The Inyan Kara is estimated to be nearly 300 feet thick in this area (Allen and others, 1985). The thickness of the Inyan Kara aquifer does however, vary considerably within short distances.

WATER AVAILABILITY:

Average annual recharge to the Inyan Kara aquifer in the Black Hills area from 1950 through 1998, is estimated to be 11,600 acre-feet annually (Driscoll and others, 2002). The average annual withdrawals from the aquifer for the same time period were estimated to be 1,400 acre-feet/year (Driscoll and others, 2002). A simple water budget demonstrates that withdrawals from the aquifer do not exceed recharge.

The 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. Water Rights' Observation Well MD-99A is located approximately 12 miles west of this well. The hydrograph for this well, figure 1, clearly demonstrates the aquifer is recharged and in general, water levels of the aquifer have remained relatively constant over the period of record.

**WATER RIGHTS' OBSERVATION WELL
MD-99A**

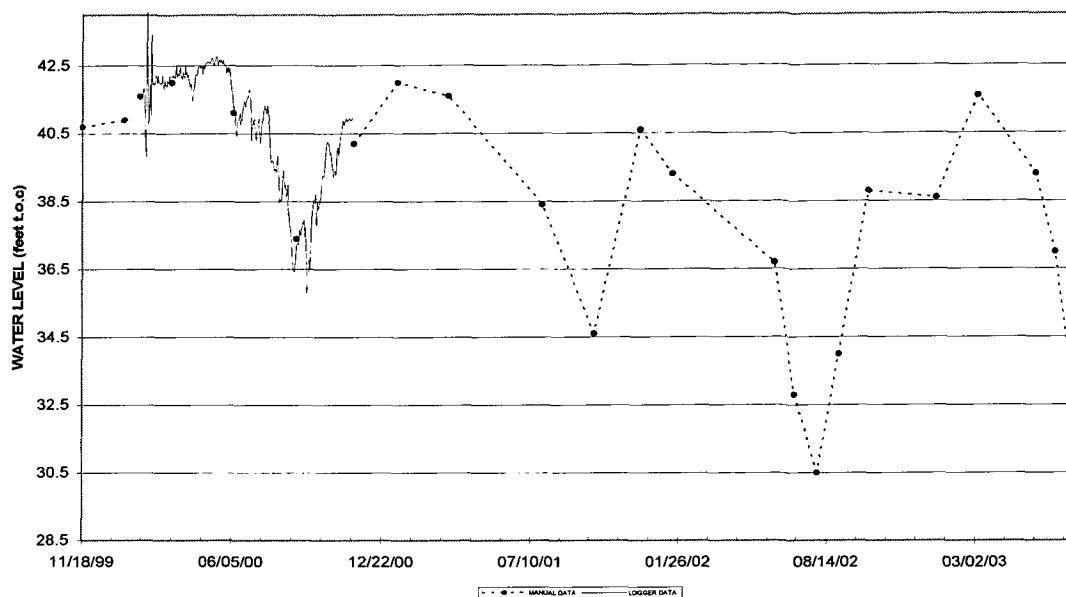


Figure 1. Hydrograph of Inyan Kara Observation Aquifer Well located approximately 12 miles west of the well to be used for 1799-1

A second observation well, PE-95E is located approximately six miles south-southeast of 1794-1. The hydrograph for the well is included in figure 2.

**WATER RIGHTS' OBSERVATION WELL
PE-95E**

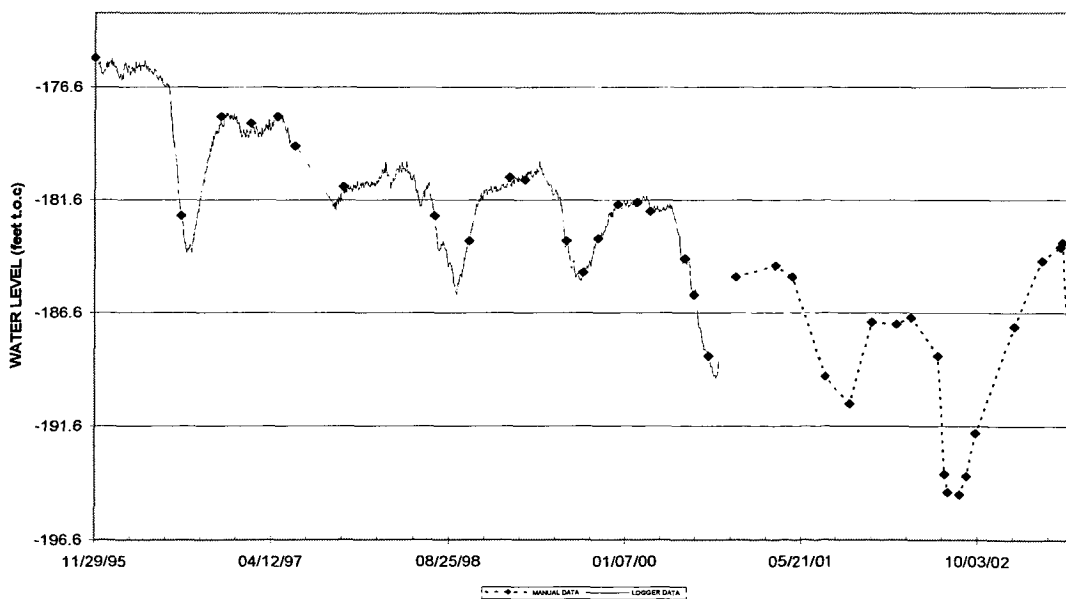


Figure 2. Hydrograph of Inyan Kara Observation Aquifer Well located approximately 11 miles southwest of the well to be used for 1799-1

The observation well data indicate water is available for this appropriation (Water Rights, 2003b).

EXISTING WATER RIGHTS:

There are no records on file with the Water Rights program for domestic 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 138 Water Rights/Permits (Water Rights, 2003c). There are 26 rights/permits appropriating water from the Inyan Kara Aquifer in Meade County. There are no groundwater Permits/ Water Rights appropriating groundwater within five miles of the well that is to supply water for this application. The nearest Water Right/Permit appropriating water from the Inyan Kara aquifer, Water Right No. 1488-1, is located about six miles southwest of this well site. Interference with other wells is not expected to be adverse due to the distance from these wells, and relatively low diversion rate proposed by the application (0.167 cfs).

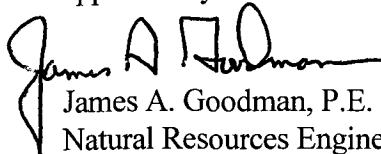
CONCLUSIONS:

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 at the proposed well site because of the distance from existing wells.



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, Tasks 3A.B.C. and 4A.B.: Groundwater Resource Inventory: South Dakota Department of Water and Natural Resources,

- 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.
- 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-743, 3 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**

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www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1799-1, 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. 1799-1, Kaski Homes, Inc., c/o Ryan Kaski, 1935 Samco Rd #102, Rapid City SD 57702-6223.

The Chief Engineer is recommending APPROVAL of Application No. 1799-1 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
September 15, 2003



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

September 16, 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. 1799-1 to Appropriate Water to be published twice. Please publish the first notice on September 24, 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, 1935 Samco Rd #102, Rapid City SD 57702-6223 (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. 1799-1

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

Date _____

We are in receipt of your letter of September 16, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 1799-1 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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.**

September 16, 2003

Kaski Homes Inc.
%Ryan Kaski
1935 Samco Rd #102
Rapid City SD 57702-6223

Dear Mr. Kaski:

Water Permit Application No. 1799-1 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

cc: Greg Wieringa, CETEC Engineering, Box 9014, Rapid City SD 57709-9014

enclosures

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

Instruction to Newspaper - Publish first Notice on September 24, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1799-1 to Appropriate Water

Notice is given that Kaski Homes, Inc., 1935 Samco Rd. #102, Rapid City SD 57702-6223 has filed an application for a water permit to appropriate 0.167 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara Formation) 2340 feet deep located in the SW ¼ SE ¼ Section 9-T3N-R9E. The water is for a suburban housing development at Dry Creek Estates.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1799-1 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 October 14, 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:

Sept 24	200	3	200
Oct 1	200	3	200
	200		200
	200		200
	200		200

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.

Dawn Blakeman

Accounting Clerk

Subscribed and sworn before me this

7 Day of October 2003

Pamela Beukler

Notary Public, South Dakota

My Commission expires

Feb 8, 2007

RECEIVED

OCT - 8 2003

WATER RIGHTS
PROGRAM

Water application

NOTICE OF APPLICATION

NO. 1799-1 to Appropriate Water

Notice is given that Kaski Homes, Inc., 1935 Samco Rd. #102, Rapid City SD 57702-6223 has filed an application for a water permit to appropriate 0.167 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara Formation) 2340 feet deep located in the SW 1/4 SE 1/4 Section 9-T3N-R9E. The water is for a suburban housing development at Dry Creek Estates.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1799-1 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 October 14, 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. Pimer, Secretary, Department of Environment and Natural Resources.

Publ Sept. 24 and Oct. 1, 2003
Meade County Times-Tribune



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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www.state.sd.us/denr

DEC 10 2003

Kaski Homes Inc
1935 Samco Rd
Rapid City SD 57702-6223

Dear Sir:

Enclosed is Water Permit No. 1799-1 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



1799-1
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 18, 2001

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

Dear Mr. Deutsch:

This is verification of the verbal authorization granted via telephone with Ken Buhler on September 17, 2001. As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for Kaski Homes, PO Box 341, Piedmont, SD prior to approval of a water permit. The test well is to be completed into the Inyan Kara aquifer in the SE¼ Sec. 9, T3N-R9E, Meade County. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Very truly yours,

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

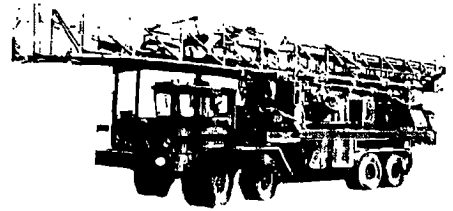
1799-1

CIMARRON DRILLINGWATER WELLS - TEST HOLES - CATHODIC - PUMPS
PUMP SERVICE - SHALLOW PRODUCTION

9017 S. RIDGE TRAIL

STURGIS, SD 57785

605-347-3071



Gentlemen:

I AM Requesting permission To
drill a Test well until a permit can
be obtained.

The well will be approximately
1,800' to 2,000' into the INYAN KAPA FM

It will be called the Dry Creek Sub.
located in the SE-1/4 of S-9-T-3-N
R-9-E of the BHM, Merde Cty S. Dak,

The well will be drilled for
KASKI Homes, P.O. Box 341, Piedmont S.D.
57769

It will be used for Residential
housing.

Respectfully
Submitted
Michael J. Deutch

Permit No. 1799-1
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. **1799-1**, bearing the priority of **October 14, 2003** authorizing the diversion of **0.16** 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) **2340** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **7** inches
- 2) Length **2,336** feet
- 3) Type **Steel**

Screen:

- 1) Type **Steel**
- 2) Length **Perforated from 2,254-2,274 feet and from 2,300-2,310 feet**
- 3) Static water level **300** feet

Pump:

- 1) Make **Grundfos**
- 2) Size **7.5 hp**
- 3) Capacity **48** 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**

Report of Examination of Works

Permit No. 1799-1

3) Exceptions to compliance are: None

Approximately 1265 feet north and 2135 west of the SE corner of Section 9-T3N-R9E

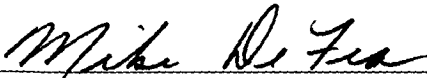
(N 44.23097, W -103.03859) (SW ¼ SE ¼)

The works are capable of diverting and conveying to the place of use 0.107 cu. ft. per second of water which is to be used for a Surban Housing Developement.

The license should be issued for 0.107 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. 1799-1

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



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
December 4, 2009

0 445 890 1,780 2,670 3,560 Feet



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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

APR 27 2010

1799-1

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

Dear Sir:

Enclosed is Water License No. 1799-1. 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. 1799-1

(1) Kaski Homes, Inc., 1935 Samco Rd, #102, Rapid City SD 57702 made Application No. 1799-1, July 23, 2002 for a water permit to divert 0.167 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for suburban housing development purposes. Permit No. 1799-1, with a priority date of July 14, 2003 was approved October 14, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 14, 2008 and for the application to beneficial use of water on or before October 14, 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. 1799-1 is issued a license, bearing a priority date of July 14, 2003 to appropriate 0.107 cubic feet of water per second from groundwater for suburban housing development purposes at Dry Creek Estates.

The diversion point is located: approximately 1,265 feet north and 2,135 feet west of the southeast corner of Section 9-T3N-R9E (SW ¼ SE ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1799-1 including the following now applicable qualification:

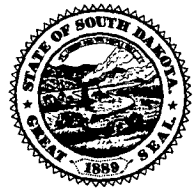
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having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

Garland Erbele

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

APR 27 2010

date



APR 23 2014

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 568

1799-1

Date: 3-21-14

I/We request that Water Right/Permit No. _____

formerly owned by: Ryan Kaskibe transferred to: (name & address) Deep Water LLCPO Box 464Black Hawk, SDTelephone No. 605-791-077357718

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

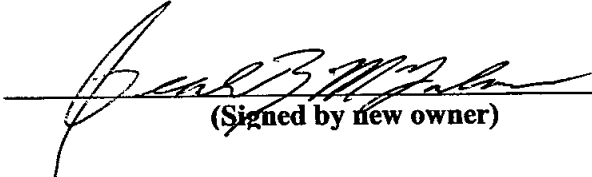
Dry Creek Well #1

I/We understand that the validity of Water Right/Permit No. 568 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Deep Water LLC, 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.



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



April 24, 2014

RECEIVED

MAY - 1 2014

WATER RIGHTS
PROGRAM

1799-1

Deep Water LLC
PO Box 464
Black Hawk SD 57718

Dear Sir:

I am writing in regard to the transfer form you submitted for filing an ownership change with a water right held by Kaski Homes Inc. I note that you labeled the form "No. 568". We do not have a water right on file with that number however I think the one you are referring to is Water Right No. 1799-1 which is for Dry Creek Estates. Enclosed is a copy of the water right.

The transfer form was completed and signed but cannot be filed for record without the filing fee as required by statute. Please remit a check or money order in the amount of **\$50.00** payable to the Water Rights Program. Once we receive the fee, the water right will be transferred to Deep Water LLC.

If you have any questions, please contact me.

Sincerely,

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

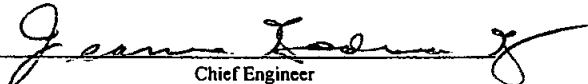
Date 5/1, 20 14

RECEIVED OF Deep Water LLC PO Box 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>1799-1</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	50 00

No. **06850**

By 
Chief Engineer



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



May 1, 2014

1799-1

Deep Water LLC
PO Box 464
Black Hawk SD 57718

Dear Sir:

Thank you for following up on the ownership change and submitting the required fee.

The ownership change has been completed. Water Right No. 1799-1 formerly held by Kaski Homes Inc. is now listed in the name of Deep Water LLC.

Enclosed for your records is Receipt No. 06850 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

March 21, 2024

1799-1

Deep Water LLC
PO Box 464
Black Hawk SD 57718

To whom it may concern:

Our office has recently received word that Deep Water LLC's Water Right No. 1799-1, authorizing the appropriation of 0.107 cubic feet of water per second for a suburban hosing development, should be transferred to Dry Creek Estates. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00/transfer made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card you may call our Fiscal Office at 605.773.4216. This form will still need to be returned even if you are submitting payment over the phone.

Should you decide you wish to discontinue the use of this water, we would ask that you let us know.

If you have any questions or concerns, please give me a call. My direct number is 605.910.5187

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

May 1, 2024

1799-1

Dry Creek Estates
c/o Trevor Nelson
11985 Quaal Rd
Black Hawk SD 57718

Dear Mr. Nelson:

I am writing you in regard to Water Right No. 1799-1, currently held by Deep Water LLC. Water Right No. 1799-1 authorizes the diversion of 0.167 cubic feet of water per second from 1 well, located in the SW ¼ SE ¼ Section 9, T3N-R9E, Meade County, to supply water to a suburban housing development.

It is the understanding of the Water Rights Program that Dry Creek Estates now owns this property, and that ownership of Water Right No. 1799-1 should be transferred accordingly. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope, as well as a copy of the original water right.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

Should you decide you wish to discontinue the use of this well, we would ask that you let us know.

If you have any questions or concerns, please give me a call. My direct number is 605.910.5187

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Trevor w/ Deep Water LLC – Black Hawk SD

DATE: 07/26/2024

TELEPHONE: 605.660.6614

RE: Ownership of WR No. 1799-1

COMMENTS:

After receiving my letter, dated May 1, 2024, Trevor called to say that Deep Water LLC should remain the listed owner of Water Right No. 1799-1, and that Deep Water LLC provides water to Dry Creek Estates, although the two are owned by the same person/entity.

Water Right No. 1799-1 will remain in the name of Deep Water LLC.

A handwritten signature in cursive script, reading "Amanda Dewell".

Amanda Dewell
Water Rights Program