

WATER PERMIT NO. 1812-1

Name of Applicant: **RDT Water Association, LLC**

Address: **PO Box 94, Rapid City SD 57709**

Phone: **605 787-7032**

Amount of Water Claimed: **0.167 cfs**

Total Acres: NA

Source of Water Supply: **groundwater**

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

County: **Meade**

Type of Waste Disposal System:

Location: **4 miles east of Piedmont**

PRIORITY

Date Received: 2-6-04

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

Corrected Application Received:

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

Remarks:

Diversion Point: W ½ SE ¼ Sec 8-T3N-R7E

Land to be Irrigated: NA

Depth of Well: **380 feet**

Well Driller: :

Remarks:

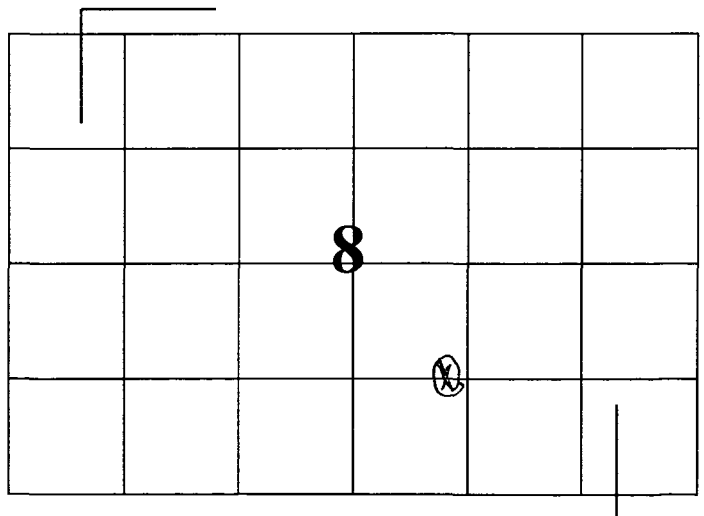
Type of Map: **plat**

Prepared by: **Jerry J Wendland, RLS**

Reviewed and the Number Assigned on: **2-6-04**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 1812-1**

Date of first receipt of application February 6, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1812-1 to RDT Water Association, LLC, PO Box 94, Rapid City SD 57709 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. 1812-1 appropriates 0.167 cubic feet of water per second from one well (Inyan Kara Formation) 380 feet deep located in the W ½ SE ¼ Section 8-T3N-R7E.
2. The water appropriated shall be used for the purpose of suburban housing development and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 1812-1 is April 19, 2004.
5. The date from which applicant may claim right is February 6, 2004.
6. One-fifth of the construction is to be completed on or before October 19, 2006.
7. All construction is to be completed on or before April 19, 2009.
8. Water is to be put to beneficial use on or before April 19, 2013.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. 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.
2. The well authorized by Permit No. 1812-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

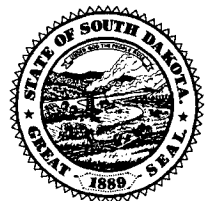
WATER MANAGEMENT BOARD

By: Garland Erbele

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

APR 30 2004

date



Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

No. 1812-1 (office use only)
Hydrologic Unit 10120111
Basin Upper Cheyenne
Newspaper Meade Co. Times-Tribune, Sturgis

RECEIVED
FEB - 6 2004
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: (check one)

- ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ 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.)

1. Name of Applicant RDT Water Association, LLC Phone (605) 787-7032
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address PO Box 94 Rapid City State SD 57709
(Street, RR, or Box and City) (Zip Code)
2. 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)
3. Source of water supply Ground Water
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Meade
One well in the NE corner of Lot 15 in the W1/2 of the SE1/4 of Section 8, T3N, R7E, BMH Meade County, South Dakota; as shown on the plat filed in Plat Book 20, page 27
5. County or counties where water will be used Meade County
6. Annual period during which water is to be used 12 months out of the year Jan 1 - Dec 31
7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

The digging of a well that will supply water to Lots 9, 13, 14, & 15 of Hart's Elk Creek Ranchette's #2. A storage reservoir and above ground well house is expected to be installed to the NW of the identified diversion point within the 60'x60' well lot as indicated on the attached map.

STATE OF SOUTH DAKOTA)

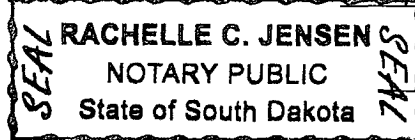
County of Pennington SS

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, Valerie Thompson, 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 Valerie Thompson

Subscribed and sworn to before me this 4 day of Feb 20 04



Notary Public Rachelle C. Jensen
My Commission Expires
October 2, 2009

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 7/8" Depth 380 feet
- b) Casing Type PVC Diameter 5" O.D. Thickness SDR-17
- c) Screen Type PVC Diameter 5" O.D. Thickness SDR-17
- d) Gravel Pack 8 - 12 Silica Length of Gravel Pack 80 feet
- e) Depth to Top of Water Bearing Material 380 feet
- f) Depth to Water (ground surface to water level) 0
- g) Distance to nearest existing domestic well:
- On applicants property N/A On property owned by others approx. 800 feet

2. Wastewater Disposal System Information

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

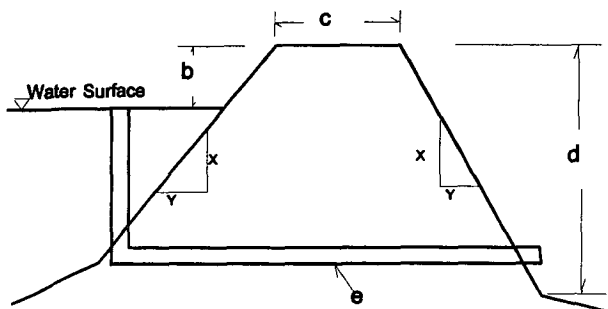
3. Dugout Information

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

4. Water Storage Dams

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

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



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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 6, 20 04

RECEIVED OF William Thompson, PO Box 94, Rapid City SD 57709

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

Fee for Application for Permit No. <u>1812-1</u> to Appropriate Water, to construct and to put water to beneficial use	150	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>1812-1</u>	50	00
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	200.00

No.

001178

By

Darland Erbe
Chief Engineer *gm*

JERRY J. WENDLAND
LAND SURVEYING
6909 Ridgeview Dr.
Black Hawk, SD
57718

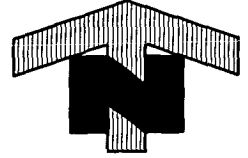
Phone: (605) 787-4503 Fax: (605) 787-9454
ANGLE SURVEYS



Lots 6A, 7, 8, 9, 10, 11, 12, 13, 14, and 15, Harts Elk Creek Ranchettes No. 2

W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 8, T3N, R7E, BHM,
Meade County, South Dakota

Center of Section 8
T3N, R7E, BHM,
Meade County
South Dakota



1"=200'

10

11

9

12

8

13

7

14

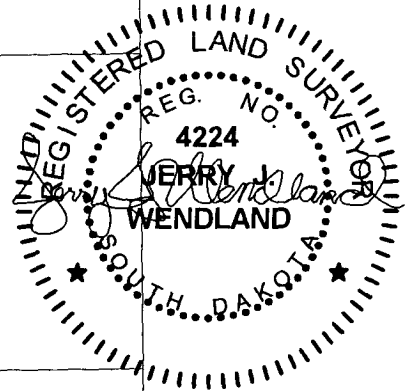
6A

Well Lot
0.106 Ac.

15

N 39°24' W - 1755.8'

Running Deer Trail



Well

N46°W - 19.8'±

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 1812-1, RDT Water Association

ADDRESS: COUNTY: Meade

DATE: March 16, 2004 TELEPHONE:

RE: Call from Valerie Thompson

COMMENTS:

Mrs. Thompson called to say that the location of the well may change somewhat. The owner of land of the proposed well location can not get authorization from the mortgage company. She want to know if they needed a new survey of the new well location. I asked her the distance between the initial location and new proposed location. She indicated the well will be located a few hundred feet north of what was proposed. I indicated that a new survey would not be necessary, the public notice is to the quarter-quarter section which provides some flexibility to the actual locating of the well.

NAME:

Eric Threlkeld

WATER PERMIT APPLICATION NO. 1812-1
RDT WATER ASSOCIATION, INC
FEBRUARY 18, 2004

Water Permit Application No. 1812-1 proposes to appropriate 0.167 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara aquifer) 380 feet deep located in the W½ SE¼ Sec.8, T3N-R7E, Meade County. The water is for a suburban housing development.

AQUIFER: Inyan Kara

GENERAL:

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 less than one-quarter mile west of this well site (Strobel and others, 1999). The top of the Inyan Kara is estimated to be approximately 120 feet below grade at this well site. The Inyan Kara is estimated to be nearly 250 feet thick in this area (Allen and others, 1985). The thickness of the Inyan Kara aquifer does however, vary considerably within short distances. The static water level of a well in this location is expected to be less than 20 feet below grade (Strobel and others, 2000). A number of domestic wells in this area flow at the surface (Water Rights, 2004a).

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. Water Rights' Observation Well MD-99A, completed into the Inyan Kara aquifer is located less than one-half mile southeast of this well site. The hydrograph for the well (figure 1) documents that the water level of the aquifer has fluctuated over 16 feet between the highest and the lowest water levels for the period of record. It is clear from the data that the aquifer readily recharges, and that the aquifer can sustain additional appropriations (Water Rights, 2004b).

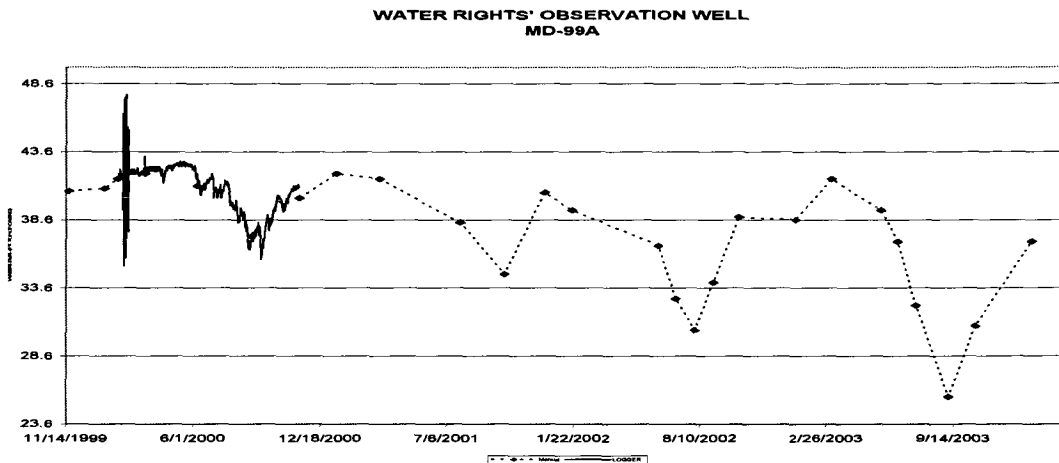


Figure 1. Hydrograph of an observation well completed into the Inyan Kara aquifer approximately one-half mile southeast of the well site proposed by this application

EXISTING WATER RIGHTS:

The Inyan Kara Aquifer has been developed in at least 23 counties in South Dakota with 142 Water Rights/Permits. There are 29 rights/permits appropriating water from the Inyan Kara Aquifer in Meade County (Water Rights, 2004c). There are two Water Rights supplied from the Inyan Kara within one-half mile of this proposed well site, the next nearest Inyan Kara appropriations are over two miles from this well site. The nearby Water Rights are shown in table 1.

WATER RIGHT NO.	OWNER	DIVERSION RATE (CFS)	USE	DISTANCE FROM 1812-1
1664-1	Buffalo Ridge Water Users	0.100	SHD	≈2360'
1700-1	Hart's Elk Creek Ranchettes	0.111	SHD	≈1150'

Table 1. Water Rights within one-half mile of 1812-1

Since the Inyan Kara is under confined (artesian) conditions in this area, pumping from an individual well may cause a decline in the potentiometric surface over a fairly widespread area. It is possible that drawdown from this well could lower the water levels in the nearby Hart's Elk Creek well. However, the impact of this appropriation on the Hart's Elk Creek well or other area water rights/permits and domestic wells is not likely to be significant.

Water Management Board rules 74:02:04 and 74:02:05, which were promulgated pursuant to SDCL 46-6-6.1, provide for the regulation of large capacity wells without the necessity of requiring the maintenance of artesian head pressure. Simply put, well interference that results in lower water levels in existing wells is not necessarily an adverse impact. Lower water levels may obligate nearby well owners to set the pumps lower in their wells. If this were considered an adverse impact, it could be in conflict with SDCL 46-1-4, which requires South Dakota's water resources to be put to beneficial use to the fullest extent of which they are capable.

There are seventeen completion reports on file with the Water Rights program for domestic wells completed into the Inyan Kara aquifer within approximately one half mile of this proposed well site (Water Rights, 2004a).

The potential affect of this appropriation on domestic wells must be considered. An "Adversely impacted domestic well" is defined by ARSD 74:02:04:20(7), as a well that was constructed to allow the pump intake to be set at least 20 feet below the top of the aquifer, in which the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner's needs. It is likely that even if a domestic well completed into the Inyan Kara aquifer in this area experienced interference, it would still be capable of delivering sufficient water with a pump inlet placed near the top of the aquifer. Therefore adverse impact to domestic wells is not probable.

CONCLUSIONS:

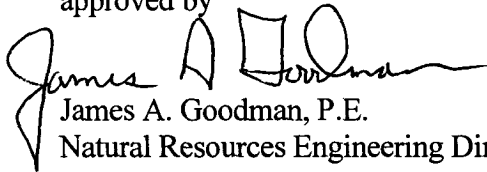
1. The Inyan Kara Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. Well interference should not be a problem at the proposed well site because of the distance from existing wells.



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

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, 3 sheets, scale 1:100,000

Water Rights, 2004a, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights, 2004b, "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights, 2004c, "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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1812-1, RDT Water Association, LLC**

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. 1812-1, RDT Water Association, LLC, c/o Valerie Thompson, PO Box 94, Rapid City SD 57709.

The Chief Engineer is recommending APPROVAL of Application No. 1812-1 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 qualifications:

1. 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.
2. The well authorized by Permit No. 1812-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

See report on application for additional information.

Garland Erbele, Chief Engineer
March 19, 2004



**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.**

March 19, 2004

RDT Water Association LLC
% Valerie Thompson
PO Box 94
Rapid City SD 57709

Dear Ms. Thompson:

Water Permit Application No. 1812-1 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

March 19, 2004

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

ATTENTION: Legal Public Notice

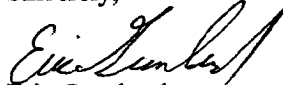
Enclosed is a Notice of Hearing on Application No. 1812-1 to Appropriate Water to be published twice. Please publish the first notice on March 31, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 RDT Water Association, LLC, % Valerie Thompson, PO Box 94, Rapid City SD 57709 (Ph # 605-787-7032).

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. 1812-1

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

Date _____

We are in receipt of your letter of March 19, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 1812-1 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 March 31, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1812-1 to Appropriate Water

Notice is given that RDT Water Association, LLC, c/o Valerie Thompson, PO Box 94, Rapid City SD 57709 has filed an application for a water permit to appropriate 0.167 cubic feet of water per second from one well (Inyan Kara Formation) 380 feet deep located in the W ½ SE ¼ Section 8-T3N-R7E. The water is for a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1812-1 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 April 19, 2004.

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

Dawn Blakeman, 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>March 31</u>	<u>200</u>	<u>4</u>	<u>200</u>
<u>April 7</u>	<u>200</u>	<u>4</u>	<u>200</u>
<u>200</u>	<u>200</u>	<u>200</u>	<u>200</u>
<u>200</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

\$ 37.38, 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

19 Day of April 2004

Pamela Buehler

Notary Public, South Dakota

My Commission expires Feb 8, 2007

Water application

NOTICE OF APPLICATION

NO. 1812-1 to Appropriate Water

Notice is given that RDT Water Association, LLC, c/o Valerie Thompson, PO Box 94, Rapid City SD 57709 has filed an application for a water permit to appropriates 0.167 cubic feet of water per second from one well (Inyan Kara Formation) 380 feet deep located in the W1/2 SE1/4 Section 8-T3N- R7E. The water is for a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1812-1 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 April 19, 2004.

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 March 31 and April 7, 2004
Meade County Times-Tribune

RECEIVED
APR 20 2004
WATER RIGHTS
PROGRAM



APR 30 2004

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

RDT Water Association LLC
% Valerie Thompson
PO Box 94
Rapid City SD 57709

Dear Ms. Thompson:

Enclosed is Water Permit No. 1812-1 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,

A handwritten signature in black ink that reads "Garland Erbele". The signature is fluid and cursive.

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

enclosures

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

Date

8/10/04

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

RECEIVED
AUG 13 2004
WATER RIGHTS
PROGRAM

FROM:

RDT Water Association, LLC
(name)

PO Box 94
(address)

Rapid City, SD 57709
(city, state, zip)

605-787-7032
(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. 1812-1 states that the water use system is to be constructed by

April 19, 2009, and water is to be put to beneficial use by April 19, 2013.
(date) (date)

The water use system was completed on 4/2004 - Taylor Drilling.
(date)

Applying the water to beneficial use was completed on 8/5/2004.
(date)

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

Valerie Thompson
(signature)

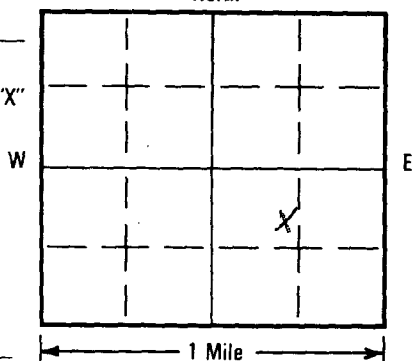


SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 SE 1/4 Sec 8 Twp 3N Rg 7E
County Meade North

Please mark well location with an "X"



Well Completion Date

4-13-04

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? >100 ft. from septic system (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Air Rotary

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>15.5 LB/FT</u>	<u>5.5 IN</u>	<u>0 FT</u>	<u>298 FT</u>	<u>7 7/8 IN</u>
<u>10.79 LB/FT</u>	<u>4.5 IN</u>	<u>278 FT</u>	<u>488 FT</u>	<u>4 3/4 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland</u>	<u>57</u>	<u>14 lb./gal</u>	<u>0 ft</u>	<u>298 ft</u>
<u>U</u>	<u>20</u>	<u>14 lb./gal</u>	<u>278 ft</u>	<u>488 ft</u>

Describe grouting procedure Pressure grouted through casingSCREEN: ☒ 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 solution
☐ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: RD Water Association LLC

Business Name: _____

Address: P.O. Box 94
Rapid City, SD 57709

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>clay brown</u>	<u>0</u>	<u>5</u>
<u>gravel</u>	<u>5</u>	<u>27</u>
<u>black shale</u>	<u>27</u>	<u>94</u>
<u>mostly gray shale</u>	<u>94</u>	<u>410</u>
<u>some ss gray brown & yellow</u>		
<u>greenish gray shale</u>	<u>410</u>	<u>480</u>
<u>gray to tan ss</u>	<u>480</u>	<u>507</u>
<u>gray shale</u>	<u>507</u>	<u>508</u>

STATIC WATER LEVEL 0 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

500 ft. After 2 Hrs. pumped 40 GPM260 ft. After 1 Hrs. pumped 35 GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

AUG 24 2004

AIR QUALITY PROGRAM

This well was drilled under license # 331

And this report is true and accurate.

Drilling firm Taylor Drilling Co.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

Permit No. 1812-1
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, **October 15, 2009**, made a thorough examination of the water use system constructed by **RDT Water Assoc., LLC** of **PO Box 94, Rapid City, SD 57709** holder of Permit No. **1812-1**, bearing the priority of **February 6, 2004** authorizing the diversion of **0.167** cu. ft. per second of the waters of the **Inyan Kara Formation** for **Suburban Housing Development** purposes, in **Meade** County.

Inspection contact & relationship **Valerie Thompson**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Taylor Drilling Co.**
- 2) No. of Wells **1**
- 3) Depth(s) **508** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **5 ½ and 4 ½** inches
- 2) Length **298 and 183** feet
- 3) Type **Steel**

Screen:

- 1) Static water level **0** feet

Pump:

- 1) Make **Flint-Walling**
- 2) Model **4F35S20**
- 3) Size **2 hp**
- 4) Capacity **35** GPM

B. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by **Y**
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **NA**

3) Exceptions to compliance are: None

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

Approximately 920 feet north and 1495 feet west of the SE corner of Section 8-T3N-R7E

(N 44.23015, W -103.29798) (SW ¼ SE ¼)

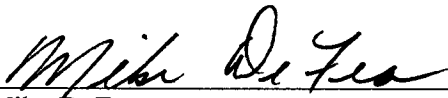
The works are capable of diverting and conveying to the place of use 0.078 cu. ft. per second of water which is to be used for Surban Housing Development. Water has been put to beneficial use to the maximum extent as follows:

Water from the well is used to supply water to a storage reservoir, which then supplies water to the development.

The license should be issued for 0.078 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: April 12, 2010

Water Permit No. 1812-1

RTD Water Assoc., LLC
PO Box 94
Rapid City, SD 57709



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
April 12, 2010

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**

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

APR 29 2010

1812-1

Valerie Thompson
RDT Water Association LLC
PO Box 94
Rapid City SD 57709-0094

Dear Ms. Thompson:

Enclosed is Water License No. 1812-1. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1812-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1812-1

(1) RDT Water Association LLC, PO Box 94, Rapid City SD 57709 made Application No. 1812-1, February 6, 2004 for a water permit to divert 0.167 cubic feet of water per second from ground water – one well (Inyan Kara), Meade County, South Dakota for suburban housing development purposes. Permit No. 1812-1, with a priority date of February 6, 2004 was approved April 19, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 19, 2009 and for the application to beneficial use of said water on or before April 19, 2013.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.078 cubic feet of water per second (35 gallons per minute) for beneficial use. The location of the diversion point is approximately 920 feet north and 1,495 feet west of the SE corner of Section 8, T3N, R7E (SW ¼ SE ¼).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 RDT Water Association LLC, PO Box 94, Rapid City SD 57709 the holder and/or owner of Water Right No. 1812-1 is issued a license to appropriate water, the right to use 0.078 cubic feet of water per second from ground water – one well (Inyan Kara) with a priority date of February 6, 2004 from the location specified in (2) of this license for suburban housing development purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1812-1 and subject to the following qualifications:

- 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.
- The well authorized by Permit No. 1812-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28 (*The well was drilled in April, 2004 by Taylor Drilling and the well log is on file with the Water Rights Program*).



Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

APR 29 2010

date

