

WATER PERMIT NO. 1841-1

Name of Applicant: Walt O Griffith

Address: 517 E Plum Creek Rd, Sioux Falls SD 57105

Phone: 605 339-0954

Amount of Water Claimed: 0.167 cfs

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial

County: Lawrence

Type of Waste Disposal System:

Location: for use in a campground

PRIORITY

Date Received: 4-4-05

Application/License Fee: \$200

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NE ¼ NW ¼ Sec 1-T3N-R3E

Land to be Irrigated: NA

Depth of Well: 250 feet deep

Well Driller:

Remarks:

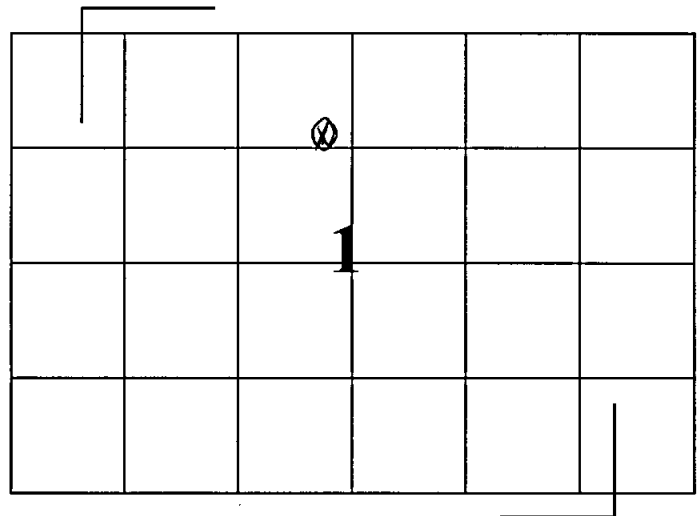
Type of Map: topo

Prepared by: Allan M Schreier

Reviewed and the Number Assigned on: 4-4-05

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>1841-1</u> (office use only)	Hydrologic Unit <u>10120111</u>
	Basin <u>Upper Cheyenne</u>	
	Newspaper <u>Black Hills Pioneer, Spearfish</u>	

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APR - 4 2005
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.)

- Name of Applicant Walt O. Griffith (check one) ☒ Owner ☐ Tenant/lessee Phone 605/339-0954
Mailing Address 517 E. Plum Creek Road, Snow Falls State SD 57105
(Street, RR, or Box and City) (Zip Code)
- 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 Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Lawrence
St. John Lode of Mineral Survey No. 1748, in Custer Peak Mining district,
Section 1, Township 3N, Range 3E (NE1/4 NW1/4)
- County or counties where water will be used Lawrence
- Annual period during which water is to be used 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)
Campground with 22 trailer spots, 13 cabins, 40 tents, central
shower house & lodge

STATE OF SOUTH DAKOTA)

County of Minnehaha 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, Walt O. Griffith, 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

1st day of April 2005

Farula Cox

Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 1841-1**

Date of first receipt of application April 4, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1841-1 to Walt O Griffith, 517 E Plum Creek Road, Sioux Falls SD 57105 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. 1841-1 appropriates 0.167 cubic feet of water per second from one well to be completed into the Precambrian aged Crystalline Rock (approximately 250 feet deep) located in the NE ¼ NW ¼ Section 1-T3N-R3E.
2. The water appropriated shall be used for the purpose of commercial use at a campground 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. 1841-1 is July 5, 2005.
5. The date from which applicant may claim right is April 4, 2005.
6. One-fifth of the construction is to be completed on or before January 5, 2008.
7. All construction is to be completed on or before July 5, 2010.
8. Water is to be put to beneficial use on or before July 5, 2014.
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.

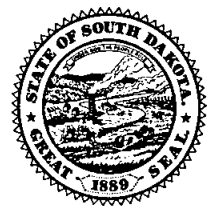
WATER MANAGEMENT BOARD

By: _____

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

JUL 18 2005

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8" Depth ~ 250'
- b) Casing Type Plastic Pipe Diameter 5" Thickness .200"
- c) Screen Type unknown Diameter unknown Thickness unknown
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well: _____

On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

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

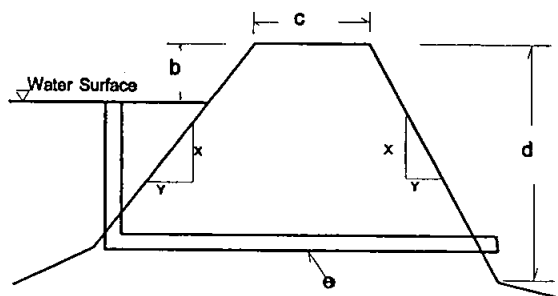
3. Dugout Information

- 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 April 4, 20 05

RECEIVED OF Walt O Griffith, 517 E Plum Creek Rd., Sioux Falls SD 57105

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

Fee for Application for Permit No. <u>1841-1</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>1841-1</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.

001332

By

Darland Ebele
Chief Engineer *gm*



EXHIBIT A: WELL LOCATION MAP
MS SURVEY 1748, LOCATED IN
SECTION 1, T3N, R3E, BHM
LAWRENCE COUNTY, SD

SCHREIER
ENGINEERING

♦ 11160 SNOMA ROAD
♦ BELLE FOURCHE, SD 57717
♦ PHONE/FAX (605) 892-2051
♦ CELL (605) 641-3315
♦ email: ginreva@iw.net

SURVEY:	AMS	DATE: 02/05	DRAW:	AMS	DATE: 02/05	JOB#	981
DESIGN:	AMS	DATE: 02/05	CHECK:	AMS	DATE: 02/05	SHEET	1 OF 1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW 1/4 NE 1/4 Sec 1 Twp 3N Rg 3E

County

Lawrence

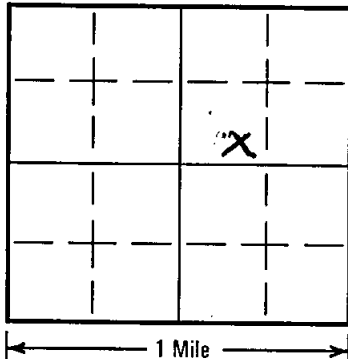
North

Please mark well location with an "X"

W

E

Well Completion Date

4-24-05

LOCATION:

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

PROPOSED USE:

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

METHOD OF DRILLING:

Cable ToolCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200</u> LB/FT	<u>5</u> IN	<u>1</u> FT	<u>200</u> FT	<u>8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>CEMENT</u>	<u>8</u>	<u>18</u> lb./gal	<u>6</u> ft	<u>30</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Trem!SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 5 IN Length 140 FEETMaterial PVCSlot Size 3/8 Set From 60 Feet to 200 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: HTH☐ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Steve Norpor FTBusiness Name: Mystic Hill CabinsAddress: 21766 Custer PK Road
Deadwood SD

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Black Clay</u>	<u>0</u>	<u>27</u>
<u>Black Slate</u>	<u>27</u>	<u>75</u>
<u>Black Slate w. gravel</u>	<u>75</u>	<u>160</u>
<u>Black w. pit</u>	<u>160</u>	<u>200</u>

STATIC WATER LEVEL 30 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ PumpedDescribe: 16 gpm☒ Bailed☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 492

And this report is true and accurate.

Drilling firm Lewis DrillingSignature of License Representative: Dwaine LewisSignature of Well Owner or Equitable Property Holder: Steve Norpor FTDate: 4-26-05 RECEIVED

MAY - 4 2005

WATER RIGHTS PROGRAM

5-4-05

April 1, 2005

Water Rights Program, DENR
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

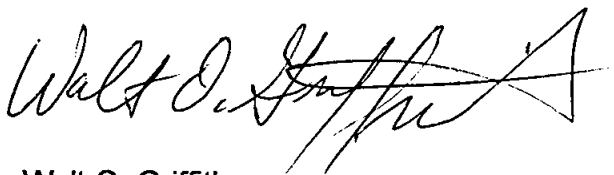
Attn: Ken Beuhler

Sir,
Please find the enclosed Application for Permit to Appropriate Water Within the State of South Dakota and a check for \$200 for the Filing fee and final inspection fee. I would like to request this well be initially classified as a test well in order to get it drilled and then the Driller's log and all other required documentation would be submitted (the driller I will be using is Lewis Drilling from Sturgis) in the time frame as required in the application instructions.

The septic tank and drain field system is currently being designed by Allan Schreier, of Belle Fouché.

Please advise if this is acceptable.

Respectfully,

A handwritten signature in black ink, appearing to read "Walt O. Griffith", with a stylized flourish at the end.

Walt O. Griffith
605/310-5029 (cell)
605/339-0954 (home)

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APR - 4 2005
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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 4, 2005

Walt O. Griffith
517 E. Plum Creek Road
Sioux Falls, SD 57105

Dear Mr. Griffith:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well in the NE¼ NW¼ Sec. 1, T3N-R3E prior to approval of a water permit. 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.

A SD Water Permit must be obtained before water from this well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Very truly yours,

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

cc: Dwane D. Lewis, 1837 Baldwin, Sturgis, SD 57785



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 15, 2005

Mystic Hills Cabins
31726 Custer PK Road
Deadwood SD 57732

1841-1

Dear Sir:

I am writing in regard to a well driller's report filed by Lewis Drilling. The report shows a new well has been completed for Mystic Hill Cabins. Based on the information in the report, you may need a water permit for this water use.

1. According to state law, a water permit is needed for any water use except for reasonable, private domestic use. Examples of commercial uses that require a water rights permit are: truckstops; motels; restaurants; bars; clubs; tourist attractions; campgrounds or any other business operation.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Enclosed are application forms and instruction sheet to apply for a water permit. The completed forms with the application fee and map can be returned to: Water Rights Program, 523 E. Capitol, Pierre, SD 57501. Please respond by August 1, 2005.

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

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
karen.schlaak@state.sd.us

enclosures

WATER PERMIT APPLICATION NO.1841-1
WALT O. GRIFFITH
JUNE 6, 2005

Water Permit Application No. 1841-1 proposes to appropriate 0.167 cubic feet of water per second (75 gallons per minute) from one well located in the NE¼ NW¼ Sec.1, T3N-R3E, Lawrence County. The water is for commercial use at a campground.

AQUIFER: Precambrian aged Crystalline Rock (CRSL)

GEOLOGY AND AQUIFER CHARACTERISTICS:

Geologically, this area has been mapped as Tertiary aged igneous rock intruded into Precambrian aged crystalline rock (metamorphosed siltstone and shale (Martin and others 2004). The crystalline rock in this area consists of the Metasediments of the Flag Rock Group and the Grizzly Formation (Redden and Lisenbee, 2001)

Estimates of the amount of water in storage or for recharge to the aquifer are not available. The aquifer is probably hydraulically connected to Elk Creek and its tributaries. During periods of high flow, when the creek stage is higher than the water table of the aquifer, the creeks are probably "losing streams" (i.e. the stream flow recharges the aquifer). When the water table of the aquifer is higher than the creek stage the creek is probably a "gaining stream"; (i.e. the aquifer contributes to stream flow). In general the ground water probably discharges towards the creek. Recharge is accomplished through infiltration of precipitation and possibly through streamflow losses from Elk Creek and its tributaries.

The Water Rights Program does not monitor any observation wells in this area. There is no historical water level data available.

AFFECTS ON EXISTING RIGHTS:

The Water Rights program has record of five domestic wells within approximately five miles of the well site proposed by this application. The well depths of these domestic wells range from 60 feet to 240 feet and obtain water from the same source proposed by 1841-1 (Water Rights, 2005a).

Surface water appropriations are not likely to be affected by withdrawals from a well at this site. The nearest groundwater appropriation, Water Right No. 1340-1, Jo M. Brotsky, which appropriates water from a spring, is located over one and one-half miles north-northeast of this proposed well site. The nearest appropriation from an actual well is located over two and one-half miles from this well site at Tomahawk Lake Country Club. Interference with existing wells is not expected to be a concern. The amount of water to be withdrawn and the rate of withdrawals are relatively small.

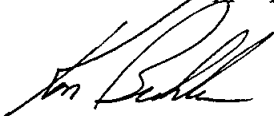
Since the porosity of the Crystalline aquifer is small, 3 - 10%, (Driscoll and others, 2002) drawdown from a pumped well or wells, may extend over a fairly widespread area.

Although the diversion rate proposed by this application is relatively small (75 gpm), it is possible that drawdown from this well could be measurable in nearby wells.

ARSD 74:02:04:20(6) defines an adequate well as a well constructed to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer. An adversely impacted domestic well is defined by ARSD 74:02:04:20(7) as a well in which the pump intake was set at least 20 feet below the top of the aquifer and 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. Since the porosity of the Crystalline aquifer is low, 20 feet of saturated thickness may not be sufficient for a well to be a reliable water supply. In other words, in this hydrogeologic setting, wells that are "adequate" by definition may not be reliable water supplies. Under these circumstances it can be argued that, any measurable interference (drawdown), from a competing well is actually an adverse impact. However, with natural water level fluctuations in this aquifer measured in excess of 50' at a Water Rights' Observation well in a similar hydrologic setting; drawdown of a few feet could be considered insignificant.

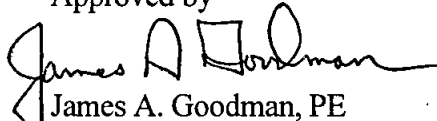
CONCLUSIONS:

1. Water is available from the Precambrian aged crystalline aquifer.
2. The aquifer is under water table conditions and drawdown due to this diversion is not expected to adversely affect adequate wells in the area.
3. This appropriation will not adversely affect surface water appropriations.



Ken Buhler
Natural Resources Engineer

Approved by



James A. Goodman, PE
Natural Resources Engineer

REFERENCES:

- 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.
- Martin, J.E., Sawyer, J.F., Fahrenbach, M.D., Tomhave, D.W., and Schulz, L.D., 2004, Geologic Map of South Dakota: S.D. DENR-Geologic Survey General Map 10, Scale 1:500,000

Redden, J.A. and Lisenbee, A.L., 2001, Geologic Map of the Deadwood South Quadrangle, South Dakota, SD Geological Survey 7.5 minute series Geologic Quadrangle Map 2, Scale 1:24000

Water Rights Program, 2005a, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD

Water Rights Program, 2005b, "Water Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1841-1, Walt O Griffith**

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. 1841-1, Walt O Griffith, 517 E. Plum Creek Road, Sioux Falls SD 57105.

The Chief Engineer is recommending APPROVAL of Application No. 1841-1 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
June 7, 2005

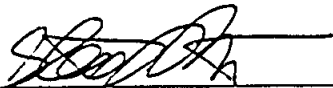
Affidavit of Publication

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

Stewart Huntington of said County and State being first duly sworn, on his oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Stewart Huntington, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and that I, Stewart Huntington, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice of Application
No. 1841-1

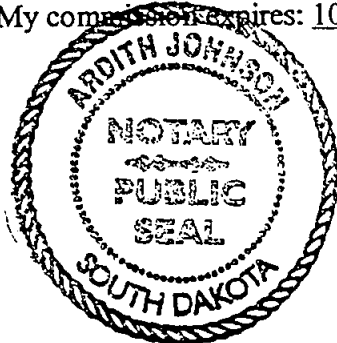
a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive and consecutive weeks, the first publication being made on the 16th day of June, 2005, and the last publication on the 23rd day of June, 2005, that the amount of fees charged for publishing same, to-wit: The sum of \$ 36.88, insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.



Subscribed and sworn to before me this 23rd day of June, 2005



Notary Public, Lawrence County, South Dakota
My commission expires: 10-24-2010



NOTICE OF APPLICATION NO. 1841-1 to Appropriate Water

Notice is given that Walt O. Griffith, 517 E Plum Creek Rd, Sioux Falls SD 57105 has filed an application for a water permit to appropriate 0.167 cubic feet of water per second from one well to be completed into the Precambrian aged Crystalline Rock (approximately 250 feet deep) located in the NE1/4 NW1/4 Section 1-T3N-R3E. The water is for commercial use at a campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1841-1 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 July 5, 2005.

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

#6
June 16, 23

RECEIVED

JUN 29 2005

WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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

June 8, 2005

Walt O Griffith
517 E Plum Creek Rd
Sioux Falls SD 57105

Dear Mr. Griffith:

Water Permit Application No. 1841-1 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Black Hills Pioneer printed at Spearfish, SD (Ph # 605-642-2761). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice 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. 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

June 8, 2005

Black Hills Pioneer
PO Box 7
Spearfish SD 57783-007

ATTENTION: Legal Public Notice

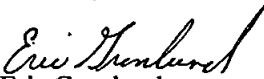
Enclosed is a Notice on Application No. 1841-1 to Appropriate Water to be published twice. Please publish the first notice on June 16, 2005 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Walt O Griffith, 517 E Plum Creek Rd., Sioux Falls, SD (Ph # 605-339-0954).

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. 1841-1

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

Date _____

We are in receipt of your letter of June 8, 2005 enclosing Notice to Appropriate Water by Application No. 1841-1 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 June 16, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1841-1 to Appropriate Water

Notice is given that Walt O Griffith, 517 E Plum Creek Rd, Sioux Falls SD 57105 has filed an application for a water permit to appropriate 0.167 cubic feet of water per second from one well to be completed into the Precambrian aged Crystalline Rock (approximately 250 feet deep) located in the NE ¼ NW ¼ Section 1-T3N-R3E. The water is for commercial use at a campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1841-1 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 July 5, 2005.

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.



JUL 18 2005

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Walt O. Griffith
517 E Plum Creek Rd
Sioux Falls SD 57105

Dear Mr. Griffith:

Enclosed is Water Permit No. 1841-1 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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 1841-1

I have this day, October 13, 2016, made a thorough examination of the water use system constructed by Mystic Hills Hideaway, 21766 Custer Peak Rd., Deadwood, SD 57732 of Permit No. 1841-1, bearing the priority of 4/4/2005 authorizing the diversion of 0.167 cu. ft. per second of water from two wells for commercial purposes, in Lawrence County.

Inspection contact & relationship to permit holder, if applicable: **Mike Herrick**
605-584-4794

A. Works used to divert the water:

Well Information:

- | | |
|---|--|
| 1) Well Drilling Firm: <u>Lewis Drilling (2005)</u> | Well Drilling Firm: <u>Alexander Drilling (2016)</u> |
| 2) Well No. <u>1 (north well)</u> | Well No. <u>2 (south well)</u> |
| 3) Depth <u>200</u> feet | Depth <u>140</u> feet |
| 4) Well log <u>Yes</u> | Well log <u>Yes</u> |

Comments: The wells will be operated as two separate systems, each with its own underground storage and booster pumps.

Casing:

- | | |
|-----------------------------|--------------------------|
| 1) Diameter <u>5</u> inches | Diameter <u>6</u> inches |
| 2) Length <u>200</u> feet | Length <u>40</u> feet |
| 3) Type <u>PVC</u> | Type <u>PVC</u> |

Screen:

- | | |
|--------------------------------------|-----------------------------------|
| 1) Type <u>perforated pipe</u> | Type <u>N/A</u> |
| 2) Length <u>140</u> feet | Length <u>---</u> feet |
| 3) Static water level <u>30</u> feet | Static water level <u>50</u> feet |

Pump:

- | | |
|--|------------------------------------|
| 1) Make <u>Grundfos</u> | Make <u>-----</u> |
| 2) Model <u>10S07-12</u> | Model <u>-----</u> |
| 3) Size <u>4"</u> | Size <u>--</u> |
| 4) Capacity <u>12.5</u> GPM | Capacity <u>25</u> GPM |
| 5) Horsepower rating <u>3/4</u> hp | Horsepower rating <u>--</u> hp |
| 6) Pressure @ well head: <u>5 psi.</u> | Pressure @ well head: <u>5 psi</u> |

Note: The pump in the 2005 well is believed to be the model shown. The well yield at time of drilling was reported as 16 gpm. The pump and storage tank planned for the 2016 well were not installed at the time of the inspection. The capacity shown is based off of the well yield as reported by the driller.

B. Works used to transport water to place of use:

- 1) Type PE pipe
- 2) Size varies inches
- 3) Length unknown feet

C. Works used to apply water to beneficial use:

The 2005 (north) well pumps to a 5000 gallon underground storage tank located adjacent to the well. Twin centrifugal pumps pressurize the system which serves a restaurant, bar, 9 cabins, 40 campsites and a shower house. The 2016 (south) well will serve 35 additional campsites. A 1000 gallon underground storage with booster pump and pressure tanks is planned.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Exceptions to compliance are: none

E. Condition and Location:

1. The system is in good condition with the points of diversion located as follows:

North Well

1,266' S and 2,365' E of the NW corner Section 1 T3N R3E (44.253219, -103.705108)

South Well

1,907' S and 1,936' E of the NW corner Section 1 T3N R3E (44.251475, -103.706791)

2. The works are capable of diverting and conveying to the place of use .084 cu. ft. per second (37.5 gpm) of water which is to be used for **commercial** use and the license should be issued for .084 cfs.
3. All structures, wells and lands on map – **Yes**

F. Comments or other permit(s) associated with the project: none

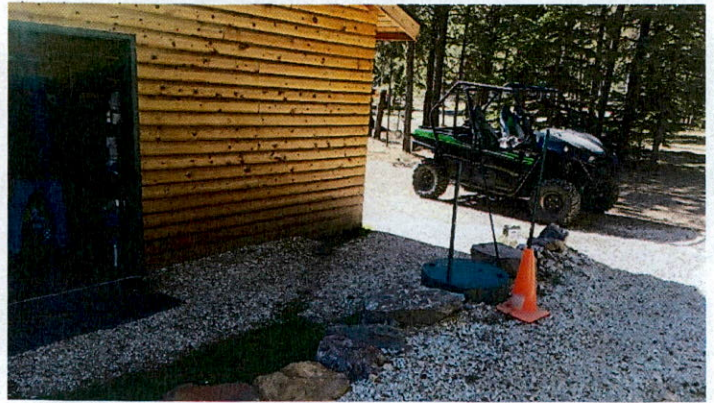


Steven Quissell
Water Rights Inspector
DENR, Water Rights Program

Date report completed: 10/26/2016



2005 well inside utility room/shower house



manhole for storage tank outside utility room



campground and 2016 well

1841-1

SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

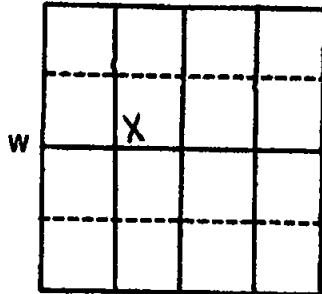
Location SE 1/4 NW 1/4 Sec 1 Twp 3N Rg -2E

3E

County Lawrence ☒

North

Please mark well location with an "X"



Well Completion Date

8/16/16

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.):
200 ft. from Septic (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary downhole hammer

CASING DATA:

☐ Steel ☒ Plastic ☐ Other
 If other describe 40' of 6" 160 PVC

WEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Portland II	4	Lb/gal	38 Ft	6 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure through trim pipe

SCREEN:

☐ Perforated pipe ☐ Manufactured
 Diameter _____ Inches 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? w/chlorine solution
☐ No, Why Not?

 to which water
 city sample sent for analysis
Well Owner: Mike Herrick

Business Name:

Address: 21766 Custer Peak RoadCity, State, Zip: Deadwood ☒ SD ☒ 57732

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
precambrian schist	0	55
fracture 5 gpm	55	56
schist	56	89
fracture 10 gpm	89	92
schist	92	107
fracture 20 gpm	107	110
schist	110	130
fracture 25 gpm	130	131
schist	131	140

STATIC WATER LEVEL 50 FEET

If flowing: closed in pressure _____ PSI

GPM flow 25 through _____ Inch pipeControlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: w/air☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

JAN 27 2017

WATER RIGHTS
PROGRAMThis well was drilled under license # 225 324 and this report is true and accurate.Drilling firm: Alexander Drilling Inc.

Signature of License Representative:

Frank Jewell

Signature of Well Owner or Equitable Property Holder:

Date:

RECEIVED

MAR 08 2018

WATER RIGHTS
PROGRAM

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. _____ (office use only) Hydrologic Unit _____
	Basin _____
	Newspaper _____

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

☐ Municipal	☐ Water Distribution System	☐ Recreational	☐ Institutional
☐ Rural Water System	☐ Commercial	☐ Fish & Wildlife	☐ Geothermal
☐ Domestic (over 18 gpm)	☐ Industrial	☐ Other _____	

Type of Application:
(check one)

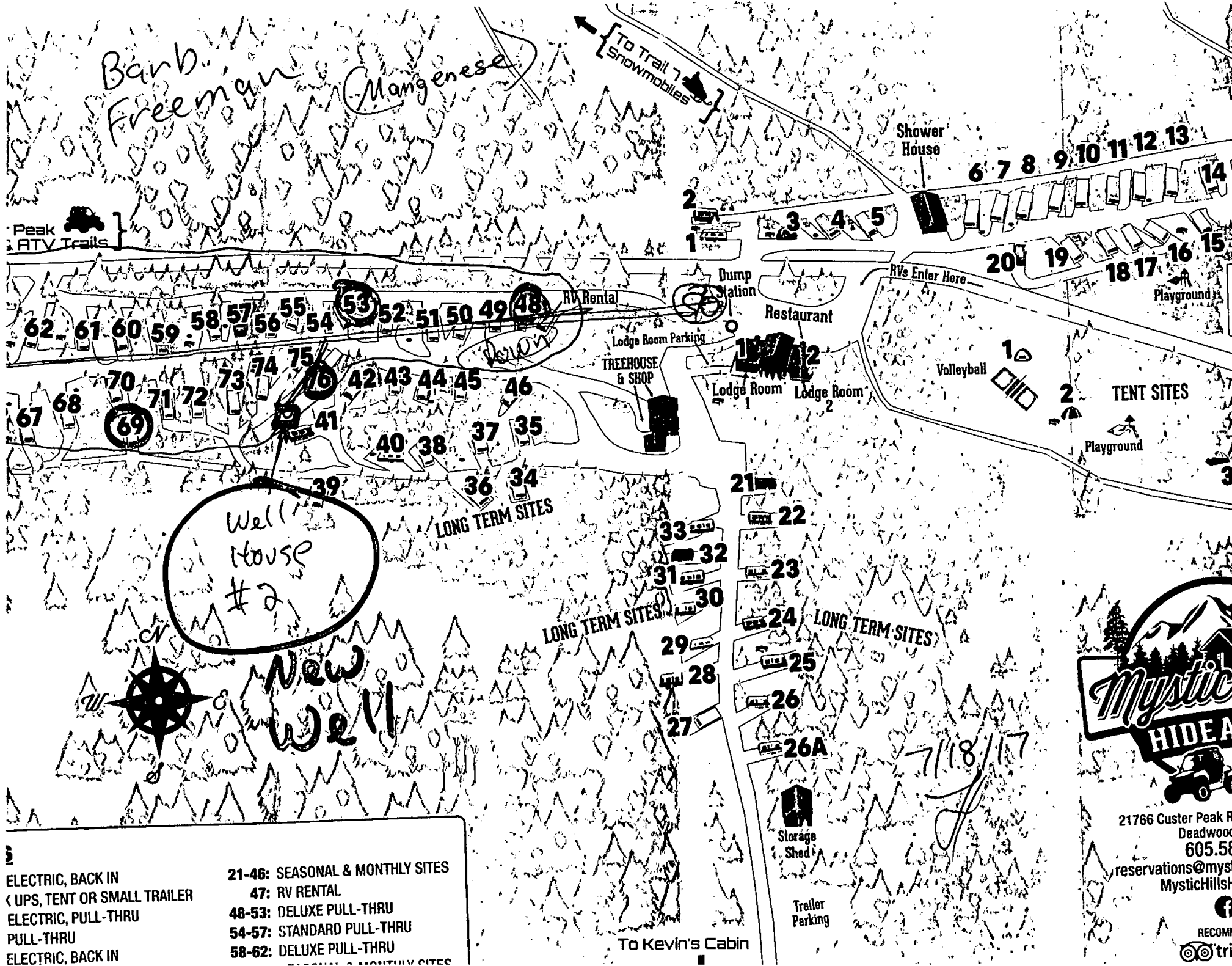
☐ New	☐ Vested Right (Use predates Mar 2, 1955)	☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____		
☐ Amendment/Correction to Permit No. _____		

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

- Name to Appear on Water Permit Triple H Hills LLC d.b.a. Mystic Hills Hideaway
Mailing Address 21766 Custer Park Road Deadwood SD 57732
(Address) (City) (State) (Zip Code)
Phone 605-584-4713 Mobile 605-881-9670 Email pruvd.paps@icloud.com
- Amount of water claimed _____ *CFS or _____ **GPM and _____ ***AF or _____ Gallons
Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use)
- Source of water supply _____
- Location of point of diversion _____ County Lawrence
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☐ No
If "Yes," where will water be used? _____
(example - NW1/4 section 12-T104N-R53W)
- County or counties where water will be used Lawrence
- Annual period during which water is to be used _____
- 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)

I, Michael Herrick, Manager - Owner, the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.



21766 Custer Peak Rd
Deadwood
605.58
reservations@mystic
MysticHillsSH



Approval of Additional Diversion Point

NAME: Mystic Hills Hideaway, % Mike Herrick (formerly owned by Steel Wheel, LLC)

ADDRESS: 21766 Custer Peak Rd., Deadwood SD 57732

DATE: October 28, 2016

COUNTY: Lawrence

TELEPHONE: (605) 584-4794

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

Yes – Precambrian aged Crystalline Rock (CRSL)

1841-1 authorizes 0.167 cubic feet of water per second (cfs) from one well located in the NE ¼ NW ¼ Section 1, T3N, R3E. The additional diversion point is located 1936'E and 1907'S of the NW corner of Section 1-T3N-R3E in the SE ¼ NW ¼ (Lat. 44.251475/Lon. -103.706791). Yield from the additional diversion point is 0.056 cfs or 25 gpm. The combined diversion from the authorized diversion point and the additional diversion point is 0.084 cfs.

- **If irrigation, no new land is irrigated**

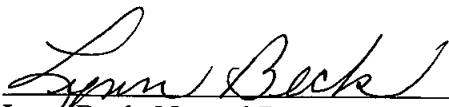
N/A

- **Review of Existing Diversions**

There are 10 water permits/rights with wells completed into the CRSL aquifer, within 5 miles of 1841-1, the closest being 1.5 miles. There are a number of domestic wells in the area which range in depth from 60 feet to 240 feet and obtain water from the same source. Porosity in the Crystalline aquifer is small which could result in drawdown from a pumped well over a widespread area. Natural water fluctuations in this aquifer have been measured in excess of 50 feet, therefore, drawdown of a few feet due to a pumped well could be considered insignificant.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point be licensed as developed.



Lynn Beck, Natural Resources Engineer III
Water Rights Program

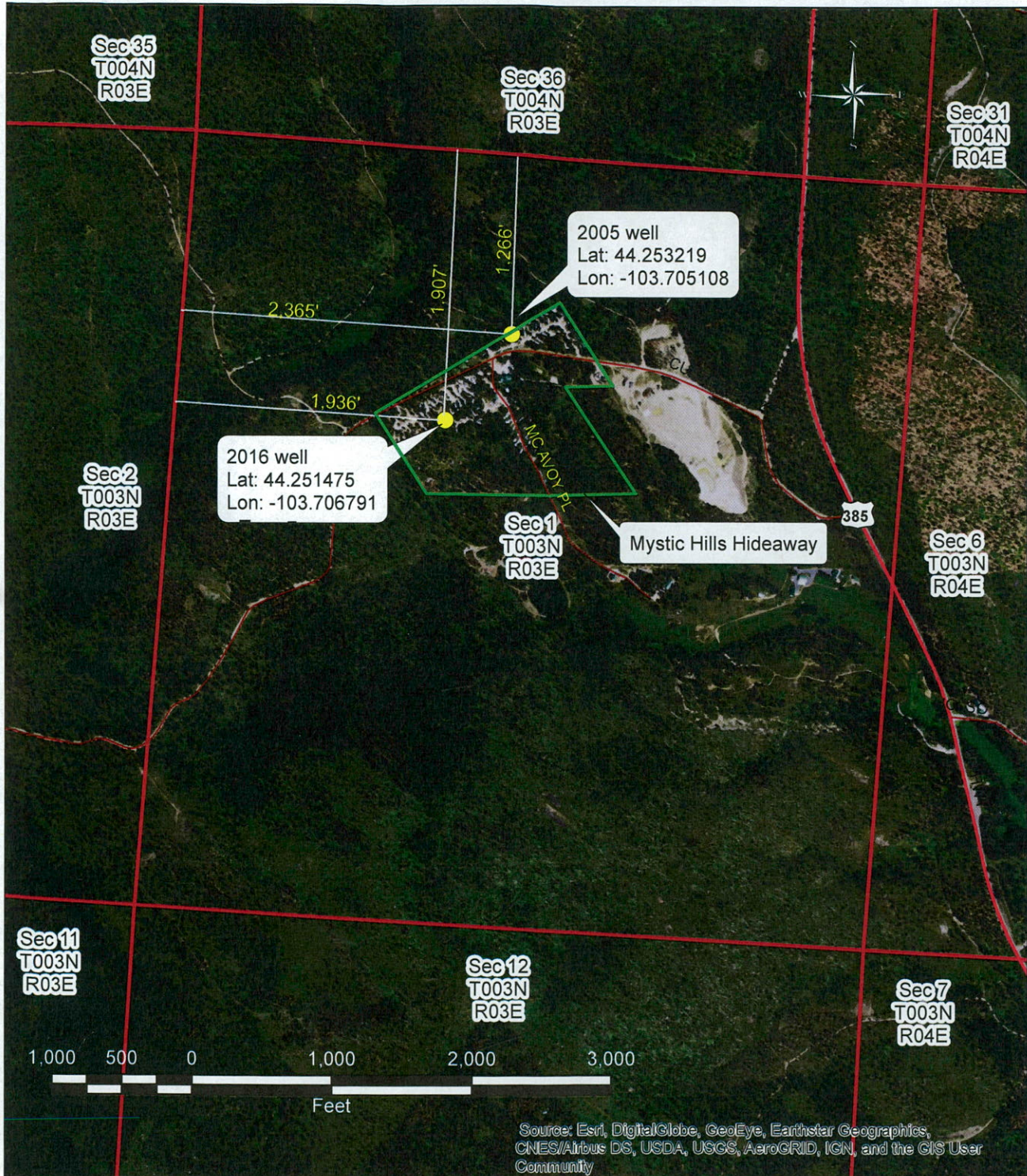
The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This additional diversion point does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program

Water Right #1841-1
Mystic Hills Hideaway
10/13/2016



Steven Quissell

Steven Quissell
Water Rights Inspector
DENR Water Rights Program



McMath, Genny

From: Quissell, Steve
Sent: Wednesday, October 26, 2016 1:28 PM
To: McMath, Genny
Cc: Beck, Lynn
Subject: Mystic Hills Hideaway #1841-1
Attachments: Mystic_Hills_Hideaway_1841-1.pdf; Mystic_Hills_Hideaway_1841-1_EOW.docm

Genny

Attached is the EOW and Arc.pdf for Mystic Hills Hideaway #1841-1. The owner had a transfer of ownership in his file and said he would send.

Steven Quissell

Water Right Inspector

SD Department of Environment and Natural Resources

Water Rights Program

Phone: (605) 394-6763

Fax: (605) 394-5317



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

April 12, 2017

1841-1

Mike Herrick
Mystic Hills Hideaway
21766 Custer Peak Rd
Deadwood SD 57732

Dear Mr. Herrick:

I am writing in regard to Water Permit No. 1841-1, currently listed in the name of Walt O Griffith. In October, 2016, Steve Quissell with our program conducted a field investigation of the water use system covered under Permit No. 1841-1 for licensing purposes.

Prior to licensing, the water permit should be transferred to you to reflect current ownership. Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

We will begin the process of issuing the water license to you as soon as the transfer form and filing fee are submitted. I have included a postage paid envelope for your convenience.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

April 12, 2017

SECOND NOTICE
1841-1

Mike Herrick
Mystic Hills Hideaway
21766 Custer Peak Rd
Deadwood SD 57732

Dear Mr. Herrick:

I am writing in regard to Water Permit No. 1841-1, currently listed in the name of Walt O Griffith.

In October, 2016, Steve Quissell with our program conducted a field investigation of the water use system covered under Permit No. 1841-1 for licensing purposes. As part of his report, he indicated ownership should be transferred to Mystic Hills Hideaway prior to licensing.

On April 12, 2017, a transfer of ownership form was sent to you for filing the ownership change. To date, we have not received anything back from you. In the event you do not have the original form, enclosed is a duplicate form. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

We will begin the process of issuing the water license to you as soon as the transfer form and filing fee are submitted. I have included a postage paid envelope for your convenience.

If you have any questions, please contact me.

Sincerely,

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

enclosures

RECEIVED

MAR 08 2018

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1841-1Date: 1/17/18I/We request that Water Permit No. 1841-1formerly owned by: Walt O Griffith

be transferred to: (name & address) X Triple H Hills LLC dba Mystic Hills Hideaway
21766 Custer Peak Road
Deadwood S.D. 57732 Telephone No. 605-584-4713

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

one well - NE 1/4 NW 1/4 Section 1-T3N-R3E

I/We understand that the validity of Water Right/Permit No. 1841-1 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 X Michael Herrick, the new owner, certify that the above information is true and correct.

X Michael Herrick

(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 8, 20 18

RECEIVED OF Mystic Hills Hideaway 21766 Custer Peak Road Deadwood, SD 57732

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>1841-1</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. **08617**

By

Jeannette Goodman
Chief Engineer
Jm



South Dakota Secretary of State

SHANTEL KREBS

Filing Information

Name: **TRIPLE H HILLS, LLC**

General Information

SOS Business ID DL031695
Filing Type: Limited Liability Company - Domestic
03/18/2013
Status: Good Standing
Duration Term: Perpetual
Managed By: Member-Managed

Registered Agent Address
MICHAEL HERRICK
21766 CUSTER PEAK ROAD
DEADWOOD, SD 57732-7334

Principal Address
21766 CUSTER PEAK ROAD
DEADWOOD, SD 57732-7334

The following document(s) was/were filed in this office on the date(s) indicated below:

Date Filed	Filing Description	Image #
02/16/2018	2018 Annual Report	B0052-8958
02/27/2017	2017 Annual Report	B0025-0988
02/15/2016	2016 Annual Report	
03/20/2015	2015 Annual Report	
03/05/2014	2014 Annual Report	
03/18/2013	Initial Filing	DL031695



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 2 1 2018

1841-1

Triple H Hills
dba Mystic Hills Hideaway
c/o Michael Herrick
21766 Custer Peak Rd
Deadwood SD 57732

Dear Mr. Herrick:

Enclosed is Water License No. 1841-1. This is the final water right document completing the process of obtaining a Water Right. Enclosed is a receipt for \$50.00 which you paid for the Notice of Transfer of Ownership. The water right formerly listed in the name of Walt O Griffith is now listed as Triple H Hills, dba Mystic Hills Hideaway. Also, included is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if in the future the owner drills a replacement well and has no plan to use the old existing 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,

A handwritten signature in cursive script that reads 'Jeanne Goodman'.

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1841-1

(1) Walt O Griffith, Sioux Falls SD made Application No. 1841-1, April 4, 2005 for a water permit to divert 0.167 cubic feet of water per second from the Precambrian aged Crystalline Rock Aquifer, Lawrence County, South Dakota for commercial use purposes. Permit No. 1841-1, with a priority date of April 4, 2005 was approved July 5, 2005 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 5, 2010 and for the application to beneficial use of water on or before July 5, 2014.

An investigation conducted for licensing purposes found an additional diversion point developed under Water Permit No. 1841-1. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the additional diversion point does not increase the potential for interference with existing water rights.

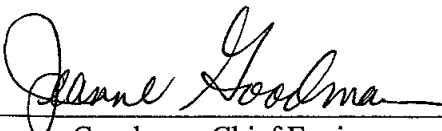
On March 8, 2018, Water Permit No. 1841-1 was transferred to Triple H Hills, LLC, dba Mystic Hills Hideaway, c/o Michael Herrick 21766 Custer Peak Rd, Deadwood SD 57732.

(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. 1841-1 is issued a license, bearing a priority date of April 4, 2005 to appropriate 0.084 cubic feet of water per second (37.5 gallons per minute) from the Precambrian aged Crystalline Rock Aquifer for commercial use.

The diversion points are located: North well – 1,266 feet south and 2,365 feet east of the NW corner Section 1-T3N-R3E (NE 1/4 NW 1/4) and South Well – 1,907 feet south and 1,936 feet east of the NW corner of Section 1-T3N-R3E (SE 1/4 NW 1/4).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1841-1 including the following qualification:

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



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

MAY 21 2018

date

