

WATER PERMIT NO. 1856-1

Name of Applicant: Arlie Radway

Address: 19799 Plainview Rd, Howes SD 57748

Phone: 605 985-5949

Amount of Water Claimed: 0.33 cfs

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: rural water system and domestic use

County: Meade

Type of Waste Disposal System:

Location: 7 miles south of Howes

PRIORITY Date Received: 2-27-06

Application/License Fee: \$275

Corrected Application Received: 3-2-06

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW ¼ NE ¼ Sec 32-T7N-R16E

Land to be Irrigated:

Depth of Well: 3184 feet deep

Well Driller: Weston Engineering, Inc.

Remarks:

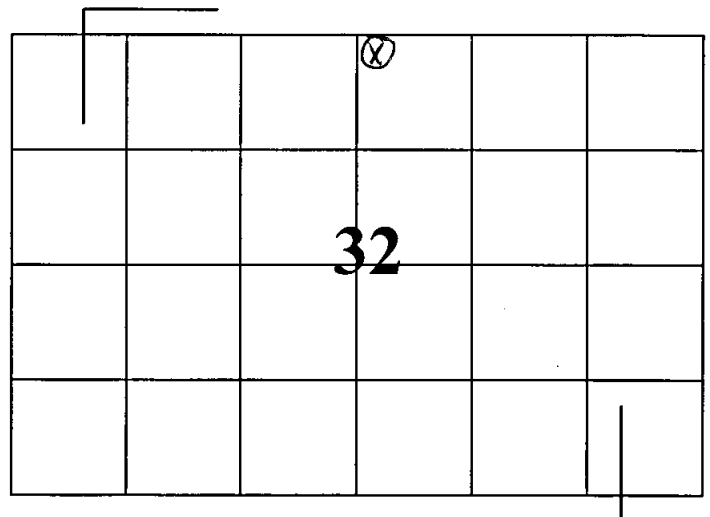
Type of Map: aerial

Prepared by: Derek Oliver, NRCS

Reviewed and the Number Assigned on: 3-2-06

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>1856-1</u> (office use only)	Hydrologic Unit <u>10120112</u>
	Basin <u>Lower Cheyenne</u>	
	Newspaper <u>Meade Co Times-Tribune</u>	
	<u>Sturgis</u>	

RECEIVED
FEB 27 2006
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

☐ Municipal	☐ Suburban Housing	☐ Recreational	☐ Institutional
☒ Rural Water System	☐ Commercial	☐ Fish & Wildlife	☐ Geothermal Heat
☒ Domestic (over 18 gpm)	☐ Industrial	☐ Other	

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

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

1. Name of Applicant Archie Radway Phone 605-985-5949
(check one) Owner ☐ Tenant/lessee ☐
Mailing Address 19999 Plainview Rd Howes State S.D. 57748
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed 0.33 *CFS or 150 **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 Artesian Well (Dakota formation)

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
Artesian Well in NE 1/4 NW 1/4 section 32-T7N-R16E
County Meade

5. County or counties where water will be used Meade

6. Annual period during which water is to be used Year long 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)
Radway Ranch has installed a two horse pump with a max. capacity of 60 gpm to serve 8 mi. of pipeline and headquarters for domestic use. Plainview Water Co-op has installed a 10 horse multistage pump with a rated capacity of 75 gpm at 140 PSI. This will serve approx. 22 mi. of new and existing water line and eight headquarters for domestic use.

STATE OF SOUTH DAKOTA)
County of Meade 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, Archie Radway, 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 Archie Radway

Subscribed and sworn to before me this 23rd day of February 20 06

Donna C Hansen 06/25/2010
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 1856-1**

Date of first receipt of application February 27, 2006.

Date of return to applicant for corrections, amendments or changes February 27, 2006.

Date of receipt of corrected application March 2, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1856-1 to Arlie Radway, 19799 Plainview Rd, Howes SD 57748 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. 1856-1 appropriates 0.33 cubic feet of water per second from one well completed into the Inyan Kara Aquifer (3,184 feet deep) located in the NW 1/4 NE 1/4 Section 32-T7N-R16E.
2. The water appropriated shall be used for the purpose of rural water system and domestic use 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. 1856-1 is May 22, 2006.
5. The date from which applicant may claim right is February 27, 2006.
6. One-fifth of the construction is to be completed on or before November 22, 2008.
7. All construction is to be completed on or before May 22, 2011.
8. Water is to be put to beneficial use on or before May 22, 2015.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

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

JUN 12 2006

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 9 1/2" 7 7/8" Depth 850' 3184
- b) Casing Type Steel Diameter 7"-23#, 5 1/2" 15.5" Thickness 0.317
0.275
- c) Screen Type Mill Slot Diameter 5 1/2" - 15.5 Thickness 0.275
- d) Gravel Pack None Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 2730'
- f) Depth to Water (ground surface to water level) 281
- g) Distance to nearest existing domestic well:
On applicants property 600' On property owned by others 1.5 mi.

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Septic 600' from Well
- b) System Capacity (gallons) 1000 Year Constructed 1980
- c) Connected to the City of None Sanitary System _____

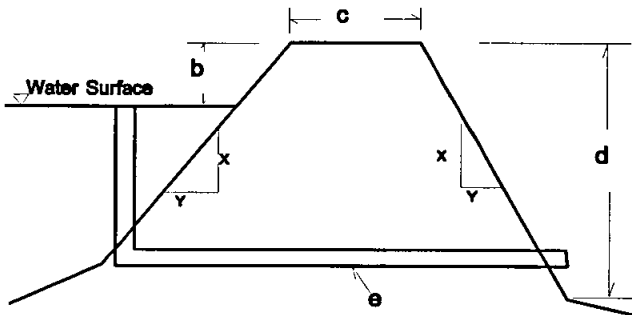
3. Dugout Information

- 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 Fe March 2, 20 06

RECEIVED OF Arlie Radway, 19799 Plainveiw Rd, Howes SD 57748

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

Fee for Application for Permit No. <u>1856-1</u> to Appropriate Water, to construct and to put water to beneficial use	225	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>1856-1</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	275.00

No.

02337

By

Darland Elbe
Chief Engineer *gm*

Arlie Radway Deep Well

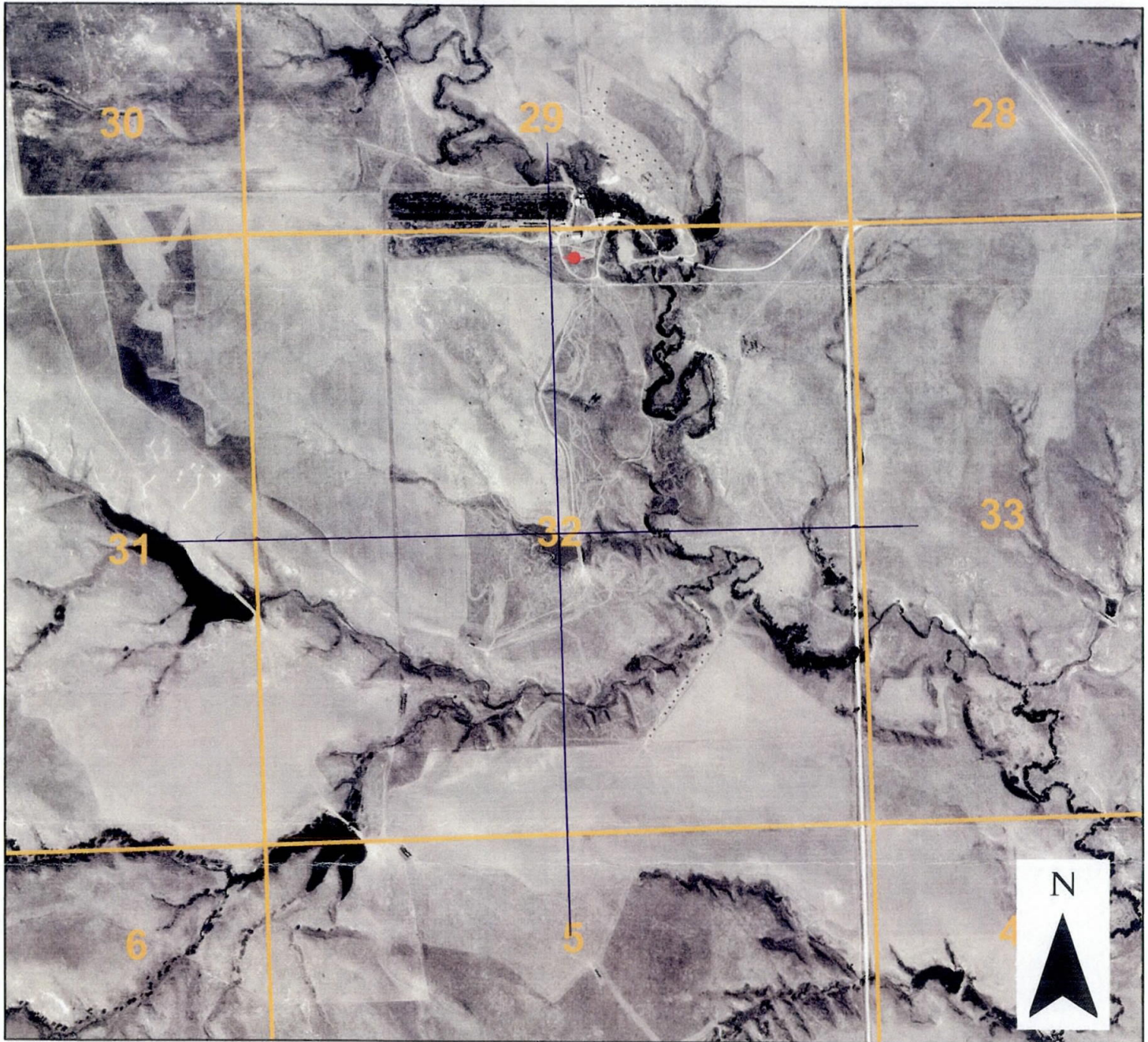
NE 32 7N 16E



Customer(s): ARLIE RADWAY

Date: 1/25/2006

Meade County, South Dakota



760 0 760 1,520 2,280 3,040
Feet

4 inches per mile

Legend

-  Well
-  Sections

Field Office: FAITH SERVICE CENTER

Agency: NRCS

Assisted By: Derek J Oliver

Derek Oliver

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

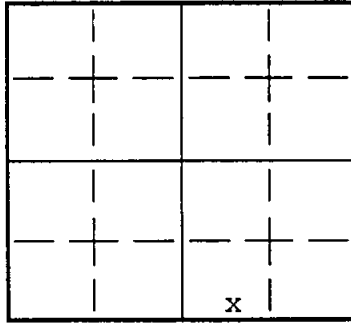
Location SW ¼ SE ¼ Sec 29 Twp 7N Rg 16ECounty Meade North

Please mark well location with an "X"

W

E

Well Completion Date



1 Mile

LOCATION:

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

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary mud

CASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
15.5 LB/FT	5 1/2 IN	848 FT	3148 FT	7 7/8 IN
23 LB/FT	7 IN	42 FT	848 FT	9 1/2 IN
42 LB/FT	10 3/4 IN	0 FT	42 FT	16 IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
extreme lite	200	11.8 lb./gal	0 ft.	2690
Type III	50	15.7 lb./gal		

Describe grouting procedure Pumped plugSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 5 1/2 IN Length 110 FEETMaterial steelSlot Size 125 Set From 2730 Feet to 2780 FeetOther information 2810 2870WAS A PACKER OR SEAL USED? ☒ YES ☐ NOIf so, what material? Neoprene RubberDescribe packer(s) and location? 2730, 2692

DISINFECTION: Was well disinfected upon completion?

____ YES, How: _____

____ NO, Why Not? _____

Laboratory sent to for water quality analysis

Energy Labs

Well Owner: Archie Radway

Business Name: _____

Address: Plainview, South Dakota57748

WELL LOG:

DEPTH

FORMATION

FROM

TO

STATIC WATER LEVEL 281 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: Airlift☐ Bailed☒ Other

Pumping Level Below Land Surface

400 ft. After 12 Hrs. pumped 300-400 GPM

____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 604

And this report is true and accurate.

Drilling firm Weston Engineering, Inc

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

**LITHOLOGIC LOG FOR ARLIE RADWAY
RADWAY #1
MEADE COUNTY, SOUTH DAKOTA
SW SE SEC 29, T7N, R16E**

DEPTH	GENERAL LITHOLOGY	SAMPLE DESCRIPTION	COMMENTS
TOP SOIL			
0- 20	Clay	Brown to gray clay	
PIERRE FORMATION			
20-610	Shale	multi-colored silty calcareous clay - chips of pale And grayish yellow green silty clay	
610- 1410	Shale	hard, platy olive black shale interbedded with siltstone	
1410- 1725	Siltstone	olive black siltstone containing abundant sand and Clayey (Marl) interlayers	
1725-1885	Shale	Olive black shale, occasionally iron stained with interbedded Olive black marl, yellowish gray non-calcareous shale and calcareous siltstone	
TOP OF NIOBRARA FORMATION			
1885-1940	Chalk and shale	Calcareous light gray shale with abundant chalk	
TOP OF CARLILE FORMATION			
1940- 2030	Shale	Dusky blue, fissile, non calcareous shale, pale-dark yellowish brown noncalcareous shale with streaks of v.f. sand	
2030- 2250	Shale	Grayish black non-calcareous shale and limestone interbedded with gray marl and olive gray sandstone	
TOP OF GREENHORN LIMESTONE			
2250- 2290	Limestone	Dark gray with rounded white calcareous grains, light gray sandy limestone with fine yellowish gray lime mudstone	
TOP OF BELLE FOURCHE SHALE			
2290- 2450	Shale	Brownish black, slightly fissile shale; abundant bentonite and minor yellowish brown calcareous shale	
TOP OF MOWRY			
2450- 2630	Shale	Brownish black, fossiliferous shale, pyrite and oxidized iron stains; Interbedded with white arkosic/calcareous sandstone, calcite veining and yellowish brown micaceous shale	
TOP OF MUDDY FORMATION			
2630- 2735	Interbedded shale and sandstone	Brown - black shale containing dolomite concretions, pyrite, calcite veining. Finely laminated black and light olive gray shale with bentonite and calcite cemented v.f. sandstone	
2735- 2785	Sandstone	Light gray v.f. to med. grained sub-angular to sub-rounded quartz sandstone Silica cemented sand friable	

TOP SKULL CREEK SHALE

2785- 2815	Shale	Black shale containing dolomite concretions, pyrite; Olive black shale with iron staining in lower shales
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TOP OF DAKOTA SANDSTONE

2815- 2880	Sandstone	Light gray v.f. to med. grained sub-angular to sub-rounded quartz sandstone Silica cemented sand friable
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2880- 2995	Interbedded Shale and Sandstone	Fine grained, calcite cemented, light gray sandstone, with non-calcareous dark gray shale and iron staining in lower olive black shale. Small amount of pyrite. Mostly shale.
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TOP OF FUSON SHALE

2995- 3050	Shale	Dark gray shale with minor amounts of yellowish brown siltstone, pyrite, and light gray sandstone, intermingled reddish and yellowish sandstone
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TOP OF LAKOTA SANDSTONE

3050- 3135	Sandstone	Light gray v.f. to med. grained sub-angular to sub-rounded quartz sandstone Silica cemented sand friable. Sandstones not clean with dark gray and olive black shale breaks.
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3135-3155	Shale interbedded sand	Dark gray calcareous-non-calcareous shale intermingled with white clay light gray fine grained sandstone, intermingled with white clay with black streaks
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3155- 3184	Sandstone interbedded shale	Light olive gray v.f. to med. grained sub-angular to sub-rounded quartz sandstone Dark gray shale with minor amounts of pyrite, white clay
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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 27, 2006

Arlie Radway
19799 Plainview Rd
Howes SD 57748

Dear Mr. Radway:

Thank you for submitting the *Application for a Permit to Appropriate Water* for domestic and rural water system use. In order to complete the application the following is required.

- The application states the well is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32-T7N-R16E. The location of the well as marked on the map, indicates the well is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32. I am assuming the location on the map is correct. Do you agree?
- The application/license filing fee will be \$275.00.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure

It does look like the location of the well is in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32. The location marked on the map is correct.

*Thanks
Arlie Radway*

RECEIVED
MAR - 2 2006
WATER RIGHTS
PROGRAM

WATER PERMIT APPLICATION NO. 1856-1
ARLIE RADWAY
APRIL 5, 2006

Water Permit Application No. 1856-1 proposes to appropriate 0.33 cubic feet of water per second (cfs) (50 gallons per minute) from one existing well, 3400 feet deep, completed into the Inyan aquifer, located in the NW¼ NE¼ Sec. 32, T7N-R16E, Meade County. The water is for rural water system and domestic use.

AQUIFER: Inyan Kara (INKR)

The Inyan Kara aquifer consists of the Fall River Formation and the underlying Lakota Formation. The log for this existing well identifies 55 feet of the Fuson Shale separating these two formations at this site, but it is often difficult to differentiate the bottom of the Fall River from the top of the Lakota. The two formations are probably hydraulically connected and therefore can be considered a single aquifer. In general, the Inyan Kara aquifer consists of interbedded sandstone (thin bedded to massive), siltstone, and shale. The aquifer is areally extensive, underling over 36,000 square miles of western South Dakota (Allen, 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, 1985). The top of the Inyan Kara is reported to be 2,815 feet below grade at this well site and the driller reported a static water level of 281 feet below grade in May 2004. The Inyan Kara is estimated to be between 200 and 250 feet thick in this area (Allen, 1985). The thickness of the Inyan Kara aquifer does however, vary considerably within short distances. The Completion Report indicates 369 feet from the top of the Inyan Kara Formation to its base, although not all of this is aquifer material.

The Inyan Kara is recharged at the outcrop near the Black Hills. The estimated average annual recharge for the Inyan Kara from 1950-1998 is 11,600 ac-ft/yr (Driscoll and others, 2002).

WATER AVAILABILITY:

The Water Rights Program monitors eight observation wells completed into the Inyan Kara aquifer in South Dakota. None of these observation wells are in this area. The only historic water level data that is available from this area is from a domestic well located about eight miles west of 1856-1 that was measured by the USGS from 1964 through 1989. A hydrograph for the well is shown in figure 1.

LOCAL WELL NUMBER: 7N14E25BDD
SITE ID: 443227102215201
REMARKS: Artesian stock well in the Inyan Kara Group. Diameter, 4 in; depth, unknown; opening, unknown; mp, vent hole on top of well cover, 1.50 ft above lsd; lsd, about 2,600 ft.
EXTREMES FOR PERIOD OF RECORD: Highest, 111.90 ft, May 14, 1964; lowest, 155.69 ft, June 19, 1989.

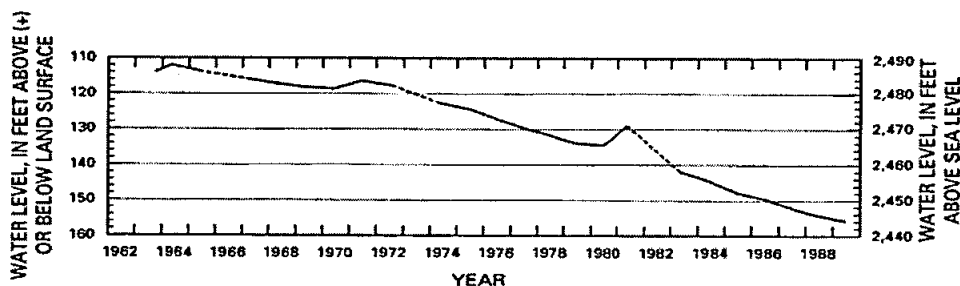


Figure 1. Hydrograph of an Inyan Kara Aquifer Well Located Approximately Eight Miles West of 1856-1 (from Winter, 1994)

The hydrograph shows that the water levels in this well declined about 45 feet between 1964-1989. Since the well is not a dedicated observation well, but rather is an operating domestic well, this hydrograph could represent: (a) increased usage from the well; (b) deteriorating well conditions; (c) that the potentiometric surface in the area has not stabilized from cumulative withdrawals; or possibly (d) that withdrawals from the aquifer exceed recharge.

Data from the Water Rights' Observation Well Network does not support the assertion that withdrawals from the aquifer exceed recharge; so of the possible explanations for the declining water levels listed above "mining" is the least viable. Regardless, a 45 feet decline cannot be considered significant for this aquifer considering the nearly 2700 feet of artesian head pressure at this well site.

EXISTING WATER RIGHTS:

There are 159 Water Rights/Permits appropriating water from the Inyan Kara aquifer in South Dakota including one future use reservation. Thirty five Water Rights/Permits appropriate water from the Inyan Kara from Meade County. The nearest Inyan Kara appropriation-Water Permit No. 1855-1, Wink Cattle Company, is located approximately ten miles northeast of this well (Water Rights, 2006). The Water Rights Program has record of ten domestic wells completed into the Inyan Kara aquifer within approximately ten miles of this well site. Interference is not expected to be a concern due to the distance between wells.

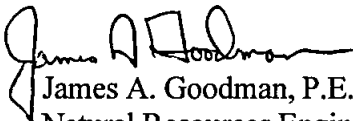
CONCLUSIONS:

1. The Inyan Kara Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. Well interference should not be a problem 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., 1985, 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,

Water Rights, 2006a, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights, 2006c, "Water Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Winter, D.R., 1994, Water Levels Through 1989 in Bedrock Aquifers in South Dakota: U.S. Geological Survey Open-File Report 94-320



**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. 1856-1, Arlie Radway**

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. 1856-1, Arlie Radway, 19799 Plainview Road, Howes SD 57748.

The Chief Engineer is recommending APPROVAL of Application No. 1856-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualification:

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

See report on application for additional information.

Garland Erbele, Chief Engineer
April 20, 2006

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Meade) SSI, Pam Brehlercertify that the attached printed Notice was
takenfrom the Meade Co Timesprinted and published in SturgisCounty of Meade andstate of South Dakota. The notice was
published

in the newspaper on the following two dates:

May 3, 2006May 10, 2006Cost of Printing \$37.80Pam Brehler
(Signature)office manager / legal rep.
(Title)5/10/06
(Date Signed)**NOTICE OF APPLICATION NO.
1856-1****to Appropriate Water**

Notice is given that Arlie Radway, 19799 Plainview Rd, Howes SD 57748 has filed an application for a water permit to appropriate 0.33 cubic feet of water per second from one well completed into the Inyan Kara Aquifer (3184 feet deep) located in the NW 1/4 NE 1/4 Section 32-T7N-R16E. The water will be used for rural water system and domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1856-1 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 May 22, 2006.

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 ad-

dress to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Publ. May 3, 10, 2006
Meade County Times-Tribune



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2006

Meade Co Times-Tribune
PO Box 69
Sturgis SD 57785

ATTENTION: Legal Public Notice

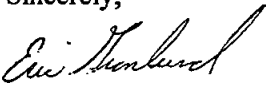
Enclosed is a Notice on Application No. 1856-1 to Appropriate Water to be published twice. Please publish the first notice on May 3, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Arlie Radway, 19799 Plainview Rd., Howes SD (Ph # 605-985-5949).

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. 1856-1

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

Date _____

We are in receipt of your letter of April 21, 2006 enclosing Notice to Appropriate Water by Application No. 1856-1 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 May 3, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1856-1 to Appropriate Water

Notice is given that Arlie Radway, 19799 Plainview Rd, Howes SD 57748 has filed an application for a water permit to appropriate 0.33 cubic feet of water per second from one well completed into the Inyan Kara Aquifer (3184 feet deep) located in the NW ¼ NE ¼ Section 32-T7N-R16E. The water will be used for rural water system and domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1856-1 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 May 22, 2006.

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.



**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.**

April 21, 2006

Arlie Radway
19799 Plainview Rd
Howes SD 57748

Dear Mr. Radway:

Water Permit Application No. 1856-1 for rural water system and domestic 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 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 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
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

JUN 12 2006

Arlie Radway
19799 Plainview Rd
Howes SD 57748

Dear Mr. Radway:

Enclosed is Water Permit No. 1856-1 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

1856-1

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

Date June 6, 2006

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

RECEIVED

JUN 20 2006

WATER RIGHTS
PROGRAM

FROM: Arlie Radway
(name)
19799 Plainview Rd.
(address)
Howes, S.D. 57748
(city, state, zip)

605-985-5949
(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.

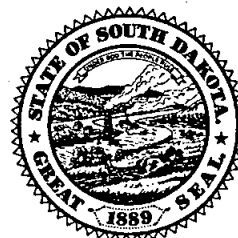
Water Permit No. 1856-1 states that the water use system is to be constructed by
5-22-2011 , and water is to be put to beneficial use by 5-22-2015 .
(date) (date)

The water use system was completed on 5-5-2006 .
(date)

Applying the water to beneficial use was completed on 5-5-2006 .
(date)

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

Arlie Radway
(signature)



Permit No. 1856-1
Lower 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 13, 2009**, made a thorough examination of the water use system constructed by **Arlie Radway** of **19799 Plainview Rd., Howes, SD 57748** holder of Permit No. **1856-1**, bearing the priority of **February 27, 2006** authorizing the diversion of **0.33** cu. ft. per second of the waters of the **Inyan Kara Aquifer** for **Domestic and Rural Water System** purposes, in **Meade** County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Weston Engineering, Inc**
- 2) No. of Wells **1**
- 3) Depth(s) **3184** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **7 and 5 ½** inches
- 2) Length **3148** feet
- 3) Type **Steel**

Screen:

- 1) Type **Perforated**
- 2) Length from **2730 to 2780** feet and from **2810 to 2870** feet
- 3) Static water level **281** feet

Pump:

- 1) Make **Grundfos**
- 2) Model **40S75**
- 3) Size **7 ½ hp**
- 4) Capacity **40** 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 265 feet south and 2,340 feet west of the NE corner of Section 32-T7N-R16E

(N 44.53091, W -102.21059) (NW ¼ NE ¼)

The works are capable of diverting and conveying to the place of use 0.09 cu. ft. per second of water which is to be used for Domestic and Rural Water System Use.

The license should be issued for 0.09 cfs.

All structures, wells and lands on map Y

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

Water from the well is pumped to a cistern. When needed a separate pump in the cistern pumps water through a distribution line for domestic use and the rural water system.



Mike DeFea

Natural Resources Engineer

DENR, Water Rights Program

Date report completed: April 26, 2011

Water Permit No. 1856-1

Arlie Radway
19799 Plainview Rd
Howes, SD 57748



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
April 26, 2011

0 450 900 1,800 2,700 3,600 Feet



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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 27 2011

1856-1

Arlie Radway
19799 Plainview Rd
Howes SD 57748

Dear Mr. Radway:

Enclosed is Water License No. 1856-1. 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. 1856-1, 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,

A handwritten signature in black ink that reads "Garland Erbele". The signature is fluid and cursive, with the first name "Garland" and last name "Erbele" clearly distinguishable.

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1856-1

(1) Arlie Radway, 19799 Plainview Rd, Howes SD 57748 made Application No. 1856-1, February 27, 2006 for a water permit to divert 0.33 cubic feet of water per second from ground water (one well – Inyan Kara Aquifer), Meade County, South Dakota for rural water system and domestic purposes. Permit No. 1856-1, with a priority date of February 27, 2006 was approved May 22, 2006 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 22, 2011 and for the application to beneficial use of said water on or before May 22, 2015.

The Permit holder submitted a *"Notice of Completion of Works and Application of Water to Beneficial Use"* on June 20, 2006. The *"Notice"* stated the water use system was completed and the water placed to beneficial use on May 5, 2006.

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

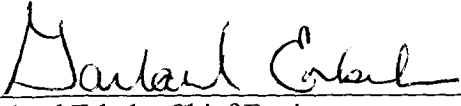
The location of the diversion point is 265 feet south and 2,340 feet west of the NE corner of Section 32, T7N, R16E (NW ¼ NE ¼).

(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 Arlie Radway, 19799 Plainview Rd, Howes SD 57748 the holder and/or owner of Water Right No. 1856-1 is issued a license to appropriate water, the right to use 0.09 cubic feet of water per second from ground water (one well – Inyan Kara Aquifer) with a priority date of February 27, 2006 from the location specified in (2) of this license for rural water system and domestic purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1856-1 and subject to the following qualification:

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


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

APR 27 2011

date

