

WATER PERMIT NO. 1860-1

Name of Applicant: Steel Wheel LLC

Address: 514 Wildwood Ave, Mitchell SD Phone: 605 995-1991

Amount of Water Claimed: 0.04 cfs Total Acres: NA

Source of Water Supply: groundwater (two wells)

Water to be used for: commercial County: Lawrence

Type of Waste Disposal System:

Location: 5 miles southeast of Lead

PRIORITY Date Received: 3-3-06

Application/License Fee: \$200

Corrected Application Received: 4-13-06

Period of Annual Use: May 1 – September 30

Remarks:

Diversion Point: NE ¼ NE ¼ Sec 19-T4N-R4E

Land to be Irrigated: NA

Depth of Well: 103 feet and 72 feet deep

Well Driller: : Lewis Drilling and S Bice Drilling

Remarks:

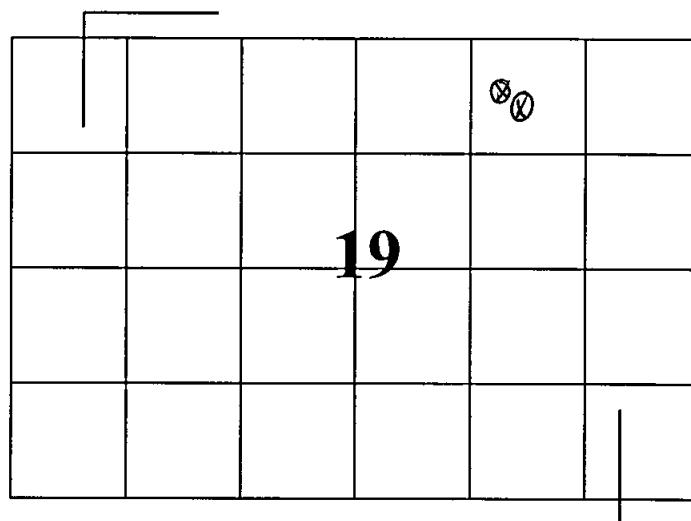
Type of Map: topo

Prepared by: Nicholas E Hoffman, PE

Reviewed and the Number Assigned on: 4-13-06

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>1860-1</u> (office use only) Hydrologic Unit <u>10120202</u>
	Basin <u>Belle Fourche R</u>
	Newspaper <u>Black Hills Pioneer, Spearfish</u>

RECEIVED
MAR - 3 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 Campground

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.) _____

- Cell 770-6055
- Name of Applicant Steel Wheel, LLC Phone 605-995-1991
(check one) Owner ☐ Tenant/lessee ☐
Mailing Address 514 Wildwood Ave, Mitchell State SD 57301
(Street, RR, or Box and City) (Zip Code)
 - Amount of water claimed 0.04 *CFS or 18 **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 (two)
 - Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) This would be the
Second well in NW1/4, NE1/4, Sec. 6 TWP 4N Rg 4E
NE1/4 19 County Lawrence
 - County or counties where water will be used Lawrence
 - Annual period during which water is to be used May thru September
 - 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)
will be used for existing Campground
Second well will serve as backup supply

STATE OF SOUTH DAKOTA)

County of Lawrence) 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, Darin Nemec, 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 Darin Nemec

Subscribed and sworn to before me this 3rd day of February 20 06

Whini Whemec
Notary Public signature

expitus 4/12/07

**SOUTH DAKOTA
WATER PERMIT NO. 1860-1**

Date of first receipt of application March 3, 2006.

Date of return to applicant for corrections, amendments or changes March 6, 2006.

Date of receipt of corrected application April 13, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1860-1 to Steel Wheel LLC, c/o Darin Nemec, 514 Wildwood Ave, Mitchell SD 57301 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. 1860-1 appropriates 0.04 cubic feet of water per second from two wells completed into the Crystalline Rock (103 and 72 feet deep) located in the NE ¼ NE ¼ Section 19-T4N-R4E.
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: May 1 – September 30.
4. The date of approval of Permit No. 1860-1 is July 17, 2006.
5. The date from which applicant may claim right is March 3, 2006.
6. One-fifth of the construction is to be completed on or before January 17, 2009.
7. All construction is to be completed on or before July 17, 2011.
8. Water is to be put to beneficial use on or before July 17, 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 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.

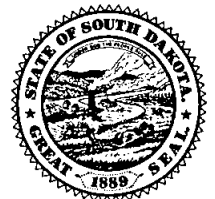
WATER MANAGEMENT BOARD

By: Garland Erbele

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

JUL 27 2006

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter PVC Depth 72 feet
- b) Casing Type PVC Diameter 5 inch Thickness 200 psi
- c) Screen Type PVC .015 slots from 32' to 52' Diameter 5 inch Thickness 200 psi
- d) Gravel Pack Yes Length of Gravel Pack 28' to 72' with 1/4 inch gravel
- e) Depth to Top of Water Bearing Material 28 feet
- f) Depth to Water (ground surface to water level) 20 feet
- g) Distance to nearest existing domestic well:
- On applicants property 225 feet On property owned by others None

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Septic Tank & Drain Field
- b) System Capacity (gallons) 7,080.00 Year Constructed 2005
- c) Connected to the City of Steelwheel LLC Sanitary System

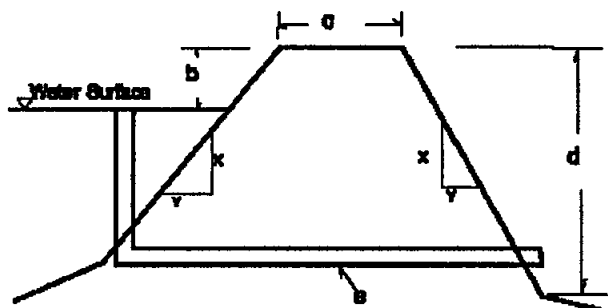
3. Dugout Information None

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

4. Water Storage Dams None

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 March 6, 20 06

RECEIVED OF Steel Wheel LLC, 514 Wildwood Ave, Mitchell SD 57301

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

Fee for Application for Permit No. <u>1860-1</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>1860-1</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.

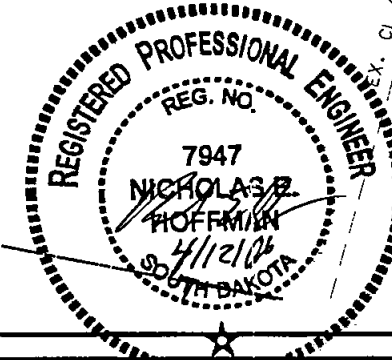
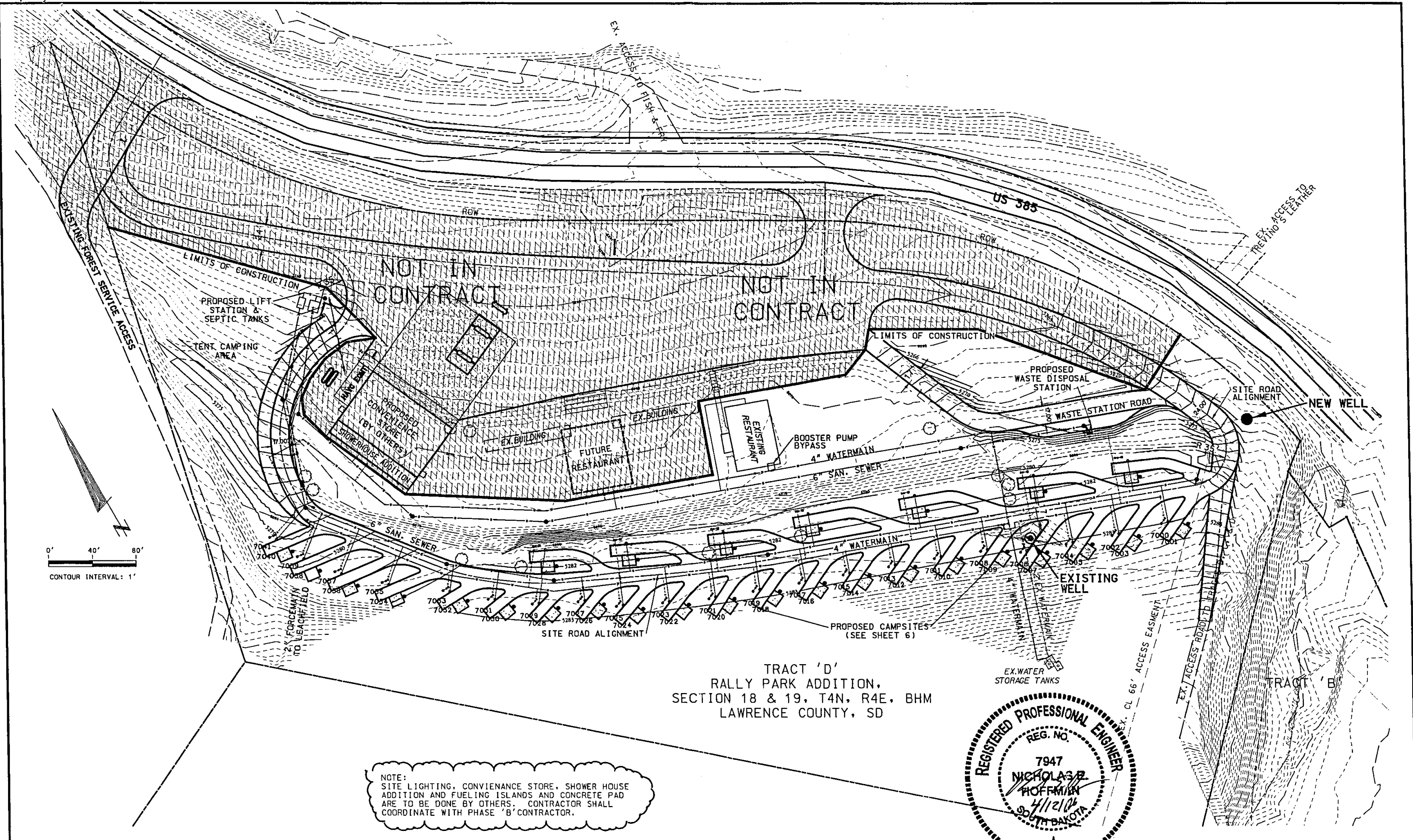
02386

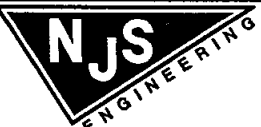
By

Marland Erbete

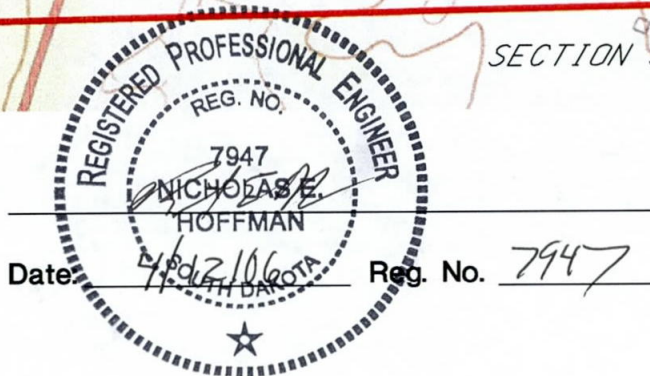
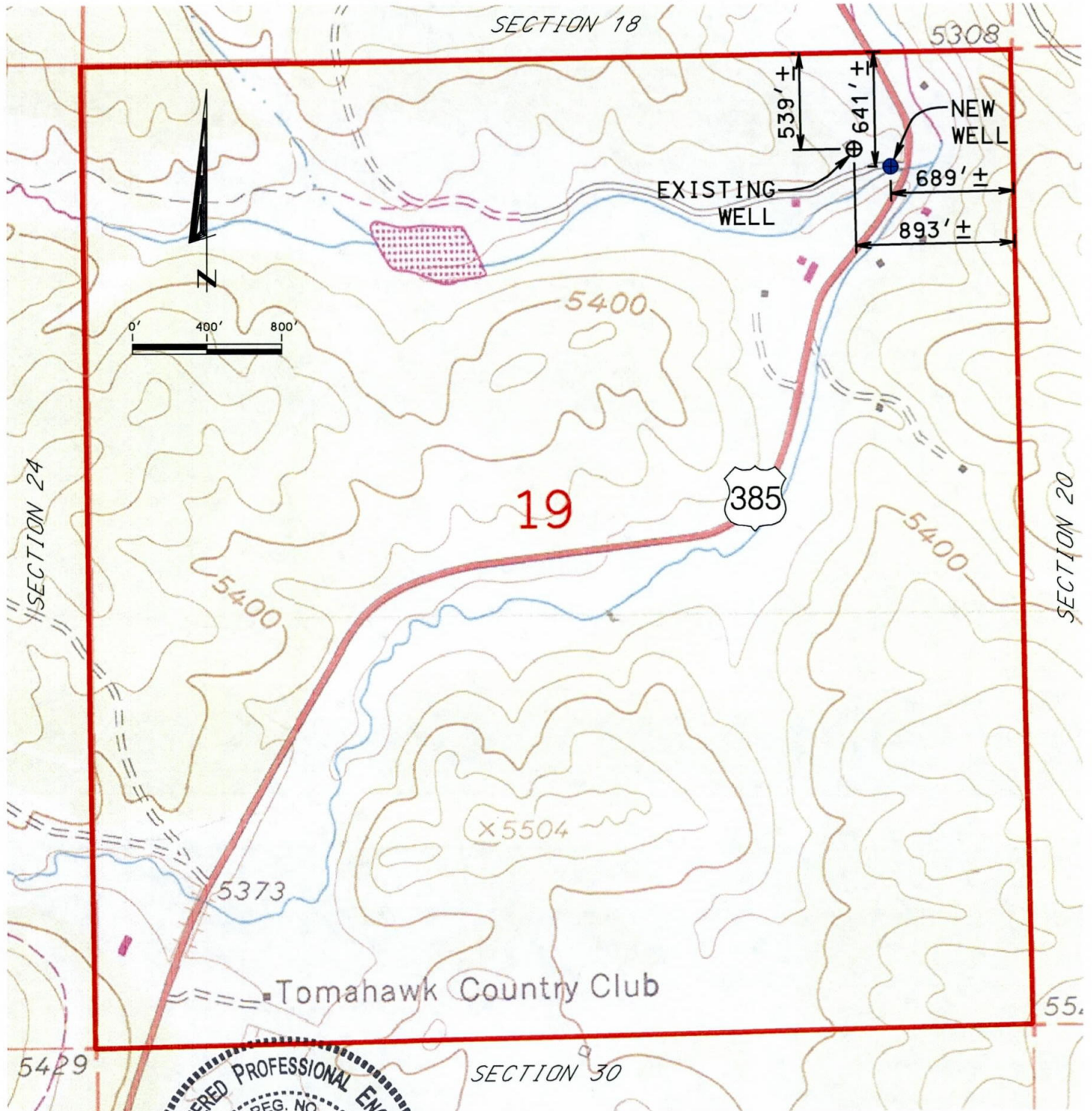
Chief Engineer

1/5



SURVEY: _____ DATE: _____ DRAW: <u>NEH/CDK</u> DATE: <u>12/21/05</u>		DESIGN: <u>NEH</u> DATE: <u>11/19/04</u> CHECK: _____ DATE: _____		 P.O. BOX 226 123 E. JACKSON BLVD. SUITE 1 SPEARFISH, SD 57783 TELEPHONE: (605) 642-4772 FAX: (605) 642-4773		<table border="1"> <thead> <tr> <th>REV.#</th> <th>DESCRIPTION</th> <th>DATE</th> <th>CHKD</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>ADDENDUM 1</td> <td>2/18/05</td> <td>NEH</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		REV.#	DESCRIPTION	DATE	CHKD	1	ADDENDUM 1	2/18/05	NEH													SHEET TITLE: SITE PLAN PHASE 'A' PROJECT:  STEEL WHEEL CAMPGROUND IMPROVEMENTS LAWRENCE COUNTY, SOUTH DAKOTA		SCHEDULE - 'C' SHEET <u>11</u> Site Plan 3a.dgn PROJECT NO: 3785	
REV.#	DESCRIPTION	DATE	CHKD																												
1	ADDENDUM 1	2/18/05	NEH																												

**WELL LOCATION MAP
STEEL WHEEL, LLC
SECTION 19, T4N, R4E, BHM,
LAWRENCE COUNTY, SD**



PREPARED BY:



P.O. BOX 226
123 E. JACKSON BLVD. SUITE 1
SPEARFISH, SD 57783
TELEPHONE: (605) 642-4772
FAX: (605) 642-4773
WWW.NJSENGINEERING.COM

April 12, 2006
NJS Project #3795
Well Location Map.dgn

10-85

Date _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 6, 2006

Darin Nemec
Steel Wheel, LLC
514 Wildwood Ave
Mitchell SD 57301

Dear Mr. Nemec:

Thank you for submitting the *Application for a Permit to Appropriate Water* for commercial use at your campground. In order to complete the application, the following is required.

- Enclosed is the map submitted with the application. The map needs to reference the location of the wells in relation to a government section corner or quarter corner. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties.
- I have reviewed our files and cannot find a water permit for the existing well. That being the case, this application should include both wells. Do you wish to amend your application to include both wells?
- You are requesting 18 gallons per minute as the amount of water claimed. Will this be the maximum diversion rate from both wells? If not, what would the maximum diversion rate from the two wells be?
- If available, please submit a well log for the existing well. If one is not available, please complete the enclosed Form 2A Supplemental Information regarding the well information. At the very least, we need to know the depth of the existing well.

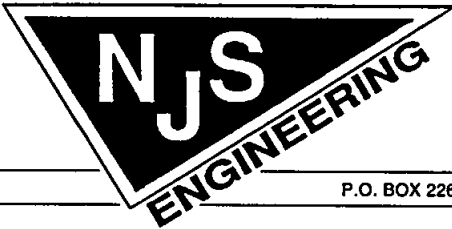
If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosures



Consulting Engineers
Land Surveyors

P.O. BOX 226 • 123 E. JACKSON BLVD. SUITE 1 • SPEARFISH, SOUTH DAKOTA 57783 • (605) 642-4772 • FAX (605) 642-4773

April 12, 2006

Karen Schlaak
SD DENR
Water Rights Program
523 East Capitol
Pierre, SD 57501-3182

Re: Steel Wheel Trading Post

Dear Karen Schlaak

Daren Nemec forwarded your letter dated March 6, 2006 to me to help him get a water right for a well on his property. The property is located on Tract 'D' Rally Park Addition, Section 18 & 19, T4N, R4E, BHM, Lawrence County, SD. I have enclosed 2 exhibits for your use.

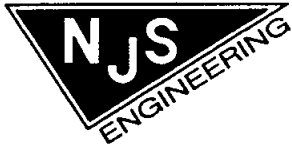
I have also included the well log from the existing well as you requested. Ron Duval from the SD DENR Water Rights program emailed me the well log. The SD DENR should have a copy of the well log on file. I am submitting the well log regardless.

If you have any questions, please contact me at (605) 642-4772 or nhoffman@njsengineering.com.

Sincerely,

Nick Hoffman, P.E.
Project Engineer
NJS Engineering

Enclosures (3)



Consulting Engineers
Land Surveyors

123 E. JACKSON BLVD. SUITE 1
P.O. BOX 226
SPEARFISH, SD 57783
(605) 642-4772 • Fax (605) 642-4773

RECEIVED

APR 13 2006

WATER RIGHTS
PROGRAM

LETTER OF TRANSMITTAL

DATE 4/12/2006	JOB NO. 3795
ATTENTION Karen Schlaak	
RE: Steel Wheel Trading Post	
Cc: Darin Nemec	

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

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop drawings ☐ Prints ☒ Plans ☐ Samples ☒ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	REV. NO.	DESCRIPTION
1	4/12/06		Well Location Map
1	4/12/06		Site Plan
1	5/12/92		Well Log

THESE ARE TRANSMITTED as checked below:

- ☒ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ 20 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

COPY TO File

SIGNED: 
Nicholas E. Hoffman, P.E.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 8, 2005

Harry Kelly
Steel Wheel Camp LLC
514 Wildwood Ave
Mitchell SD 57301

Dear Mr. Kelly:

I am writing in regard to a well driller's report filed by Lewis Drilling. The report shows a new well has been completed on October 15, 2004 in Lawrence County. 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 December 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
Water Rights Program
karen.schlaak@state.sd.us

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2006

Harry Kelly
Steel Wheel Camp LLC
514 Wildwood Ave
Mitchell SD 57301

Dear Mr. Kelly:

On November 8, 2005, you were sent applications forms for a permit to appropriate water based on a well completion report. Enclosed is a copy of that letter. It appears that a water permit is necessary to reflect your water use for commercial purposes. To date, we have not received a response regarding this application.

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

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

If you have any questions, please contact me.

Sincerely,

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

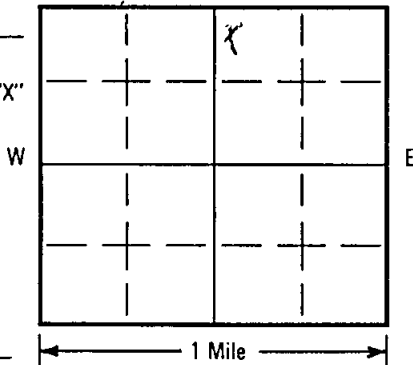
enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 NE 1/4 Sec 619 Twp 4N Rg 4E
County Lawrence

Please mark well location with an "X"



Well Completion Date

10-15-05

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1300 ft. from DRAINAGE (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>72</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>Pontland</u>	<u>6</u>	<u>18</u> lb./gal	<u>6</u> ft	<u>26</u> ft
<u>Wichita</u>	<u>2</u>	<u>Dry</u> lb./gal	<u>26</u> ft	<u>28</u> ft

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5 IN Length 25 FEETMaterial PVCSlot Size 1/5 Set From 32 Feet to 52 FeetOther information 67 72WAS 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

Laboratory sent to for water quality analysis _____

_____, NO, Why Not? _____

 Well Owner: Harry Kelly - Darin Kuee
 Business Name: Steel Wheel Comp LLC
 Address: 514 WINDWOOD AVE
MITCHELL SD 57301

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Broken Rock gravel</u>	<u>0</u>	<u>10</u>
<u>Brown schist</u>	<u>10</u>	<u>20</u>
<u>Black schist</u>	<u>20</u>	<u>28</u>
<u>Black w. gran?</u>	<u>28</u>	<u>72</u>

STATIC WATER LEVEL 20 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: Hole 40 FT☒ BailedWater @ 129 GPM☐ 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 Drilling

Signature of License Representative:

Dwan Lewis

Signature of Well Owner or Equitable Property Holder:

Date: _____

Water Rights Program - File Documentation

NAME: Nick Hoffman, NJS Engineering

ADDRESS: Spearfish SD

DATE: 4-13-06 **COUNTY:** LA **TELEPHONE:** 605 642-4772

RE: Pending application for Steel Wheel LLC

COMMENTS:

We received the signed map for the Steel Wheel LLC application. The map indicated the wells were located in Section 19. The application and newest well log indicated the well was located in NW ¼ NE ¼ Section 4. I called Nick Hoffman, the engineer and he stated the correct location for both the new and existing well was NE ¼ NE ¼ Section 19.

I called Darin Nemec, the applicant about the amount of water claimed. Mr. Nemec stated the new well would serve as a backup supply for the campground and the amount of water claimed should remain at 18 gpm.

A review of our files indicates Water Permit No. 1711-1, Hidden Valley Campground is in about the same location. Darin stated Hidden Valley Campground was owned by his parents and was located adjacent to the Steel Wheel.


Karen Schlaak
Environmental Scientist

**Water Rights Program
File Documentation**

NAME OF PERSON OR FILE: Darin Nemec

ADDRESS: 514 Wildwood Ave, Mitchell, SD

DATE: June 12, 2006 TELEPHONE: (605)995-1991

RE: Existing Campgrounds and Permits

COMMENTS:

I contacted Mr. Nemec regarding his Water Permit Application to ensure this application is not for a replacement well or will not duplicate. Attached is a map showing locations of the three campgrounds and their respective permit numbers.

A handwritten signature in black ink, appearing to read 'Ken Buhler', is written above the printed name.

Ken Buhler
Natural Resources Engineer



1860-1
Steel Wheel
Campground

1711-1
Hidden Valley
Campground

1824-1
Creekside
Campground



0.1 0.05 0 0.1 Miles

PAYMENT REQUEST FORM

PAYEE: Steel Wheel LLC
% Darin Nemec
514 Wildwood Ave
Mitchell SD 57301

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Refund for overpayment of application fee

AMOUNT: \$100.00

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Darrel C. Chiles 7/27/24

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.

WATER PERMIT APPLICATION NO.1860-1
STEEL WHEEL, LLC
JUNE 16, 2006

Water Permit Application No. 1860-1 proposes to appropriate 0.04 cubic feet of water per second (18 gallons per minute) from two existing wells (103 and 72 feet deep), completed into the Precambrian aged Crystalline Rock aquifer, located in the NE¼ NE¼ Sec.19, T4N-R4E, Lawrence County. The water is used for commercial use at a campground.

AQUIFER: Crystalline Rock (CRSL)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The South Dakota Water Well Completion Reports provided with this application indicate the wells that are to be used to supply water for this appropriation were completed in April 1992 and October 2005 respectively. The 1992 report for the well 103 feet deep, indicates it had a static water level of 23 feet below grade at the time of construction, and was capable of producing over 17 gallons per minute. The report for the well completed in 2005 indicates the well is 72 feet deep, had a static water level of 20 feet at the time of construction, and was capable of producing over 18 gallons per minute. The wells that are to be used to supply this appropriation both appear to meet the SD Well Construction Standards.

Geologically, this area has been mapped as Precambrian aged crystalline rock (metamorphosed phyllite, schist, and graywacke), overlain with alluvial deposits (sand, gravel and clay) along Bear Butte Creek and its tributaries (Strobel and others 1999). The alluvium mantled precambrian rock probably constitutes a single aquifer under unconfined (water table conditions). Estimates of the amount of water in storage or for recharge to the aquifer are not available. The aquifer is probably hydraulically connected to Bear Butte Creek and its tributaries. During periods of high flow, when the creek stage is higher than the water table of the aquifer, the creek is probably a "losing stream" (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 area streams.

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:

There are a number of domestic wells in the area, which obtain water from the same source (Water Rights, 2006a). Eight Water Rights/Permits appropriate ground water within about one mile of this well (Water Rights, 2004b). They are shown in table 1.

PERMIT NO	NAME	USE	CFS
813-1	ALIMADAD JATOI, MD	IRR	0.10
1366-1	WILD BILL'S CAMPGROUND	COM	0.07
1562-1	TOMAHAWK LAKE COUNTRY CL	COM	0.04
1563-1	TOMAHAWK LAKE COUNTRY CL	IRR	0.03
1675-1	BLACK HILLS GAME LODGE	COM	0.04
1711-1	HIDDEN VALLEY CAMPGROUND	COM	0.06
1774-1	TOMAHAWK LAKE COUNTRY CL	IRR	0.07
1824-1	BROOKS PROPERTIES INC	COM	0.03
407-1	FISH 'N FRY INN	COM	0.09

Table 1. Groundwater appropriations within approximately one mile of 1860-1

The wells that are to be used to supply this appropriation are located approximately 500 feet from the well supplying Water Permit No. 1711-1, Hidden Valley Campground; and about 650 feet from the well supplying Water Permit No. 1824-1, Creekside Campground.

It is possible that drawdown from Steel Wheel Campground wells will be measurable in Hidden Valley Campground well and/or the Creekside Campground well. Although the well interference is measurable, it would probably not constitute an “adverse impact to existing rights”.

A precise definition of an adversely impacted groundwater right does not exist. However, the South Dakota Well Construction Standards define an adverse impact to a domestic well through ARSD 74:02:04:20(6) and 74:02:04:20(7). 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. It may be appropriate to apply the criteria defining an adverse impact to a domestic well, outlined in ARSD 74:02:04:20(7), to all wells.

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 aquifer, 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, natural water level fluctuations in this aquifer are expected to greatly exceed drawdown caused by pumping an individual wells, (interference between these two wells should only amount to a few feet). The discontinuation of pumping a competing well in the Crystalline aquifer will have an insignificant impact on the water levels in a well as compared with climatic conditions. A well that is only a marginal producer may technically be adversely impacted by a competing well but the discontinuation of pumping the competing well will not result in a reliable water supply for the effected well. In other words, drawdown of a few feet could be considered insignificant.

There are six water rights that appropriate surface water within approximately one mile of the wells to be used to supply 1860-1. They are shown in Table 2.

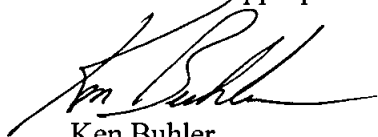
PERMIT NO	NAME	USE	CFS	ACRES
1471-1	TOMAHAWK LAKE COUNTRY CL	IRR	0.50	25.60
1472-1	TOMAHAWK LAKE COUNTRY CL	IRR	0.07	1.65
386-1	FISH 'N FRY INN	COM	3.00	
763-1	DAVID GEARY	REC	0.00	
813-1*	ALIMADAD JATOI, MD	IRR	0.10	7.59
US528-1	USDA FOREST SERVICE	DOM	0.00	

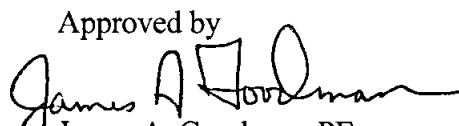
Table 2. Surface water appropriations within approximately one mile of 1860-1

The base flows of local streams are probably maintained through groundwater gains most of the time in this area. This groundwater appropriation should have no measurable impact to streamflows, because of the relatively low diversion rate proposed by this application. Therefore, surface water rights will not be affected by this appropriation.

CONCLUSIONS:

1. Water is available from the alluvium mantled Precambrian 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 the flows of area streams.


Ken Buhler
Natural Resources Engineer

Approved by

James A. Goodman, PE
Natural Resources Engineer

REFERENCES:

Strobel, M.L., G.Jarrell, J. Sawyer, J. Schleicher, M. Fahrenbach, 1999, Distribution of Hydrogeologic Units in the Black Hills Area, South Dakota, USGS Hydrologic Investigations Atlas HA-743

* 813-1 is supplied by both surface water and ground water

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1860-1, Steel Wheel, LLC**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 1860-1, Steel Wheel, LLC, c/o Darin Nemec, 514 Wildwood Avenue, Mitchell SD 57101.

The Chief Engineer is recommending APPROVAL of Application No. 1860-1 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.

Garland Erbele, Chief Engineer
June 21, 2006

NOTICE OF
APPLICATION
NO. 1860-1 to
Appropriate Water

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. 1860-1

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 28th day of June, 2006, and the last publication on the 3rd day of July, 2006 that the full amount of fees charged for publishing same, to-wit: The sum of \$ 37.10, 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.

[Signature]
Subscribed and sworn to before me this 3rd day of July, 2006

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



Notice is given that Steel Wheel, LLC, c/o Darin Nemec, 514 Wildwood Ave, Mitchell SD 57301 has filed an application for a water permit to appropriate 0.14 cubic feet of water per second from two wells completed into the Crystalline Rock (103 and 72 feet deep) located in the NE 1/4 NE 1/4 Section 19-T4N-R4E. The water is for commercial use at a campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1860-1 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 the 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 17, 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. Pirmer, Secretary, Department of Environment and Natural Resources.

#693
June 28, July 3

RECEIVED
JUL 18 2006
WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on June 28, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1860-1 to Appropriate Water

Notice is given that Steel Wheel, LLC, c/o Darin Nemec, 514 Wildwood Ave, Mitchell SD 57301 has filed an application for a water permit to appropriate 0.04 cubic feet of water per second from two wells completed into the Crystalline Rock (103 and 72 feet deep) located in the NE ¼ NE ¼ Section 19-T4N-R4E. The water is for commercial use at a campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1860-1 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 17, 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.

June 21, 2006

Steel Wheel LLC
% Darin Nemec
514 Wildwood Ave
Mitchell SD 57301

Dear Mr. Nemec:

Water Permit Application No. 1860-1 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
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

June 21, 2006

Black Hills Pioneer
PO Box 7
Spearfish SD 57783-0007

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 1860-1 to Appropriate Water to be published twice. Please publish the first notice on June 28, 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 Steel Wheel, LLC, % Darin Nemec, 514 Wildwood Ave, Mitchell SD (Ph # 605-995-1991).

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. 1860-1

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

Date _____

We are in receipt of your letter of June 21, 2006 enclosing Notice to Appropriate Water by Application No. 1860-1 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



JUL 27 2008

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Steel Wheel LLC
c/o Darin Nemec
514 Wildwood Ave
Mitchell SD 57301

Dear Mr. Nemec:

Enclosed is Water Permit No. 1860-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

At the time of application, a \$200 application/license filing fee was submitted (receipt enclosed). The correct filing fee for this permit is \$100. Therefore, \$100 will be refunded to you. You should be receiving this refund within the next couple of weeks.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *?Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

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

Date 8-23-2006

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

FROM: Steel Wheel, LLC
(name)
21399 US Hwy 385
(address)
Deadwood SD 57732
(city, state, zip)

RECEIVED

AUG 24 2006

WATER RIGHTS
PROGRAM605-578-9767
(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.

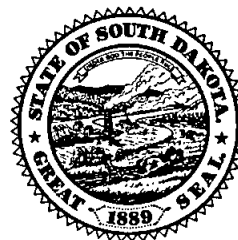
Water Permit No. 1860-1 states that the water use system is to be constructed by July 31 2006, and water is to be put to beneficial use by August 1, 2006.
(date) (date)

The water use system was completed on July 31 2006.
(date)

Applying the water to beneficial use was completed on August 1 2006.
(date)

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

Dan Nemer
(signature)



1

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 N
- 3) Exceptions to compliance are: none

The system is in good condition with the point(s) of diversion located as follows: NE ¼ NE ¼ Sec 19- T4N-R4E approximately 1) 539 feet south and 893 feet west of the north east corner of section 19, N 44.329816 Latitude and W -103.67806 Longitude 2) 641 feet south and 689 feet west of the north east corner of section 19, N 44.29849 Latitude and W -103.67858 Longitude. The works are capable of diverting and conveying to the place of use 0.04 cu. ft. per second of water which is to be used for commercial use.

The license should be issued for 0.04 cfs.

All structures, wells and lands on map Y

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

Well # 2 will serve as a back up well to well #1 and the two will not be operated simultaneously.



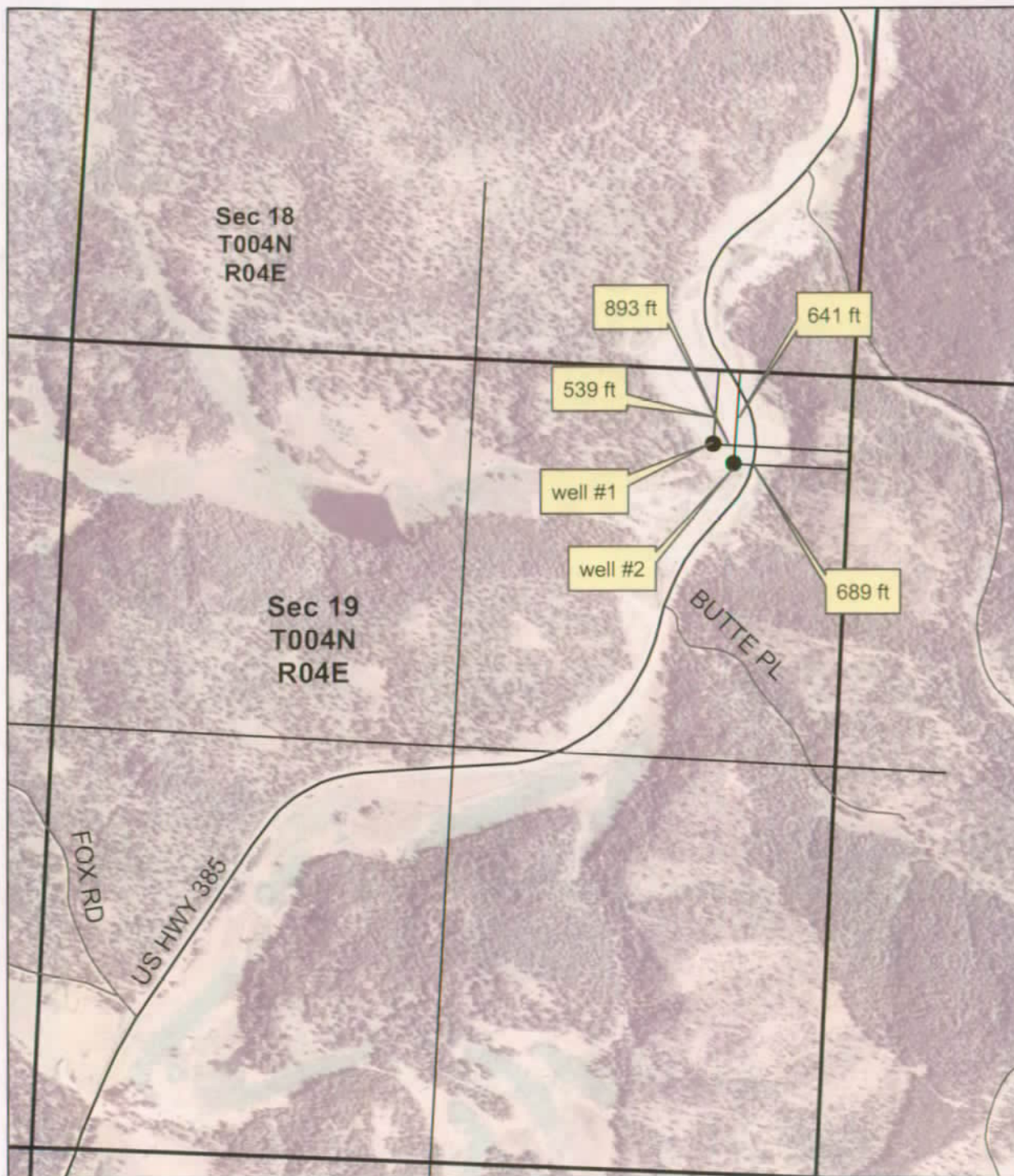
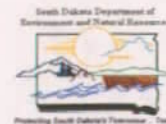
Mark Costello
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 13 March 2008



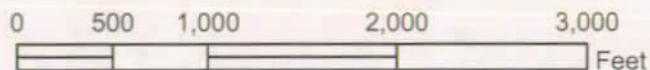
1860-1

Steel Wheel LLC.
514 Wildwood Ave.
Mitchel, SD. 57301



Mark Costello

Mark Costello
Natural Resources Engineer
SD DENR, Water Rights
13 March 2008





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 08 2008

1860-1

Darin Nemec
Steel Wheel LLC
514 Wildwood Ave
Mitchell SD 57301

Dear Mr. Nemec:

Enclosed is Water License No. 1860-1. This is the final water right document completing your process of obtaining a Water Right. Also included with your license is a map prepared by the staff engineer who conducted the 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. 1860-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1860-1

(1) Steel Wheel LLC, 514 Wildwood Ave., Mitchell SD 57301 made Application No. 1860-1, March 3, 2006 for a water permit to divert 0.04 cubic feet of water per second from ground water (two wells – Crystalline Rock), Lawrence County, South Dakota for commercial purposes. Permit No. 1860-1, with a priority date of March 3, 2006 was approved July 17, 2006 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 17, 2011 and for the application to beneficial use of said water on or before July 17, 2015.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on August 24, 2006. The "*Notice*" stated the water use system was completed on July 31, 2006 and the water placed to beneficial use on August 1, 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 0.04 cubic feet of water per second for beneficial use. The location of the diversion points are:

- Well #1 – 539 feet south and 893 feet west of the NE corner of Section 19, T4N, R4E (NE ¼ NE ¼);
- Well #2 – 641 feet south and 689 feet west of the NE corner of Section 19, T4N, R4E (NE ¼ NE ¼).

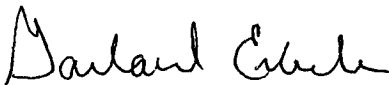
(Well #2 serves as a backup to Well #1)

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Steel Wheel LLC, 514 Wildwood Ave., Mitchell SD 57301 the holder and/or owner of Water Right No. 1860-1 is issued a license to appropriate water, the right to use 0.04 cubic feet of water per second from ground water (two wells – Crystalline Rock) with a priority date of March 3, 2006 from the location specified in (2) of this license for commercial use.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1860-1 and subject to the following qualification:

- The wells authorized by this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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 08 2008

date



NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

JAN 25 2013

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 1860-1Date: 1.22.13

I/We request that Water Right/Permit No. _____ formerly owned by:

Harvey Kelley & Darin Nemec

be transferred to:

New Owner Name: Wichterman & sons, Inc.Address: 21399 US Hwy 385City, State, Zip Deadwood, SD 57732 Telephone No. 1.605.578.1388

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

☒ I understand that the validity of Water Right/Permit No. 1860-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Jason Wichterman, the new owner, certify that the above information is true and correct.


(signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/19, 20 13

RECEIVED OF Jason Wichterman 26171 Gould Trail Randolph MN 55065

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>1860-1</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 06140

By

Garland E. Eberle
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 1, 2013

Jason Wichterman
Wichterman & Sons Inc
21399 US Hwy 385
Deadwood SD 57732

Dear Sir:

On January 25th we received a transfer of ownership form and filing fee from you for changing ownership on a water permit.

The form did not contain a permit number or legal description and I am unable to figure out which permit should be transferred. I tried calling the number you listed on the transfer form numerous times this week and was unable to reach anyone.

Please give me a call at your earliest convenience so we can discuss the transfer. Thank you in advance for your help.

Sincerely,

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

2/19/13: Jason Wichterman called - he is transferring
1860-1 for Steel Wheel Campground.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 2013

1860-1

Jason Wichterman
Wichterman & Sons Inc
21399 US Hwy 385
Deadwood SD 57732

Dear Mr. Wichterman:

Thank you for following up on the ownership change for Water Right No. 1860-1. The transfer has now been completed.

Water Right No. 1860-1 formerly held by Steel Wheel LLC, % Darin Nemec is now listed in the name of Wichterman & Sons Inc.

Enclosed for your records is Receipt No. 06148 in the amount of \$50.00. I have also included a copy of the water license and map for your files. If you have any questions, please contact me.

Sincerely,

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

enclosures