

WATER PERMIT NO. 1876-1

Name of Applicant: **Harts Elk Creek Ranchettes #2**

Address: **PO Box 371, Piedmont SD 57769** Phone: **605 787-9302**

Amount of Water Claimed: **0.08 cfs** Total Acres: **NA**

Source of Water Supply: **groundwater (one well)**

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

Type of Waste Disposal System:

Location: **4 miles east of Piedmont**

PRIORITY Date Received: **1-23-07** Application/License Fee: **\$100**

Corrected Application Received: Period of Annual Use: **January 1 – December 31**

Remarks:

Diversion Point: **NW ¼ SE ¼ Sec 8-T3N-R7E**

Land to be Irrigated:

Depth of Well: **600 feet deep**

Well Driller:

Remarks:

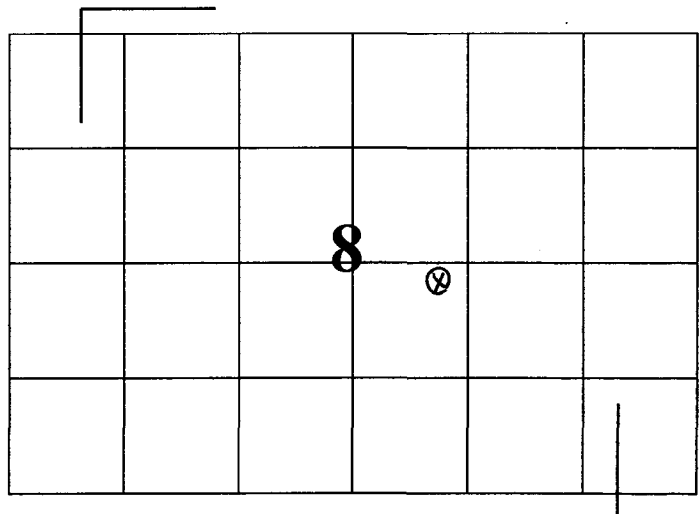
Type of Map: **plat**

Prepared by: **Allan Schrerere, PE**

Reviewed and the Number Assigned on: **1-16-07**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1876-1</u> (office use only) Hydrologic Unit <u>10120111</u>
	Basin <u>Upper Cheyenne</u>
	Newspaper <u>Meade Co Times Sturgis</u>
	<u>347-2503</u> <u>57785</u>

RECEIVED
JAN 23 2007
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 Harts Elk Creek Ranchettes #2 Phone (605) 787-9302
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address P.O. Box 371 Piedmont State SD 57769
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.08 *CFS or 35 **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 underground well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Meade
1 well NW 1/4 SE 1/4 Sec. 8 Twp 3N Rg 7E
5. County or counties where water will be used Meade
6. Annual period during which water is to be used January 1st thru December 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)

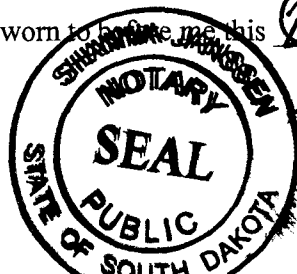
7 unit Rural Housing Development

STATE OF SOUTH DAKOTA)
County of Meade SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage dam is proposed. Attach map and any other technical information. (see instructions)

I, Brad Ehresmann Pres., 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 Brad Ehresmann President
Subscribed and sworn to before me this 22 day of January 20 07
Notary Public signature Sharon Janssen



My Commission Expires
August 2, 2011

**SOUTH DAKOTA
WATER PERMIT NO. 1876-1**

Date of first receipt of application January 23, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1876-1 to Harts Elk Creek Ranchettes #2, PO Box 371, Piedmont SD 57769 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. 1876-1 appropriates 0.08 cubic feet of water per second from one well to be completed into the Inyan Kara Formation (approximately 600 feet deep) located in the NW 1/4 SE 1/4 Section 8-T3N-R7E.
2. The water appropriated shall be used for the purpose of supplying a suburban housing development and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 1876-1 is April 12, 2007.
5. The date from which applicant may claim right is January 23, 2007.
6. One-fifth of the construction is to be completed on or before October 12, 2009.
7. All construction is to be completed on or before April 12, 2012.
8. Water is to be put to beneficial use on or before April 12, 2016.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 1876-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

APR 20 2007

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6 3/4inch Depth 600feet
- b) Casing Type steel Diameter 5 1/2inches Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
On applicants property 3/8 mile On property owned by others _____

2. Wastewater Disposal System Information

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

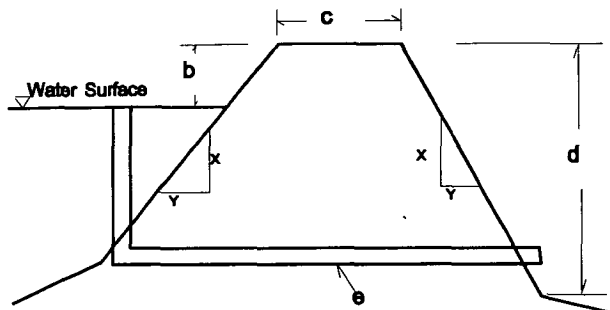
3. Dugout Information

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

4. Water Storage Dams

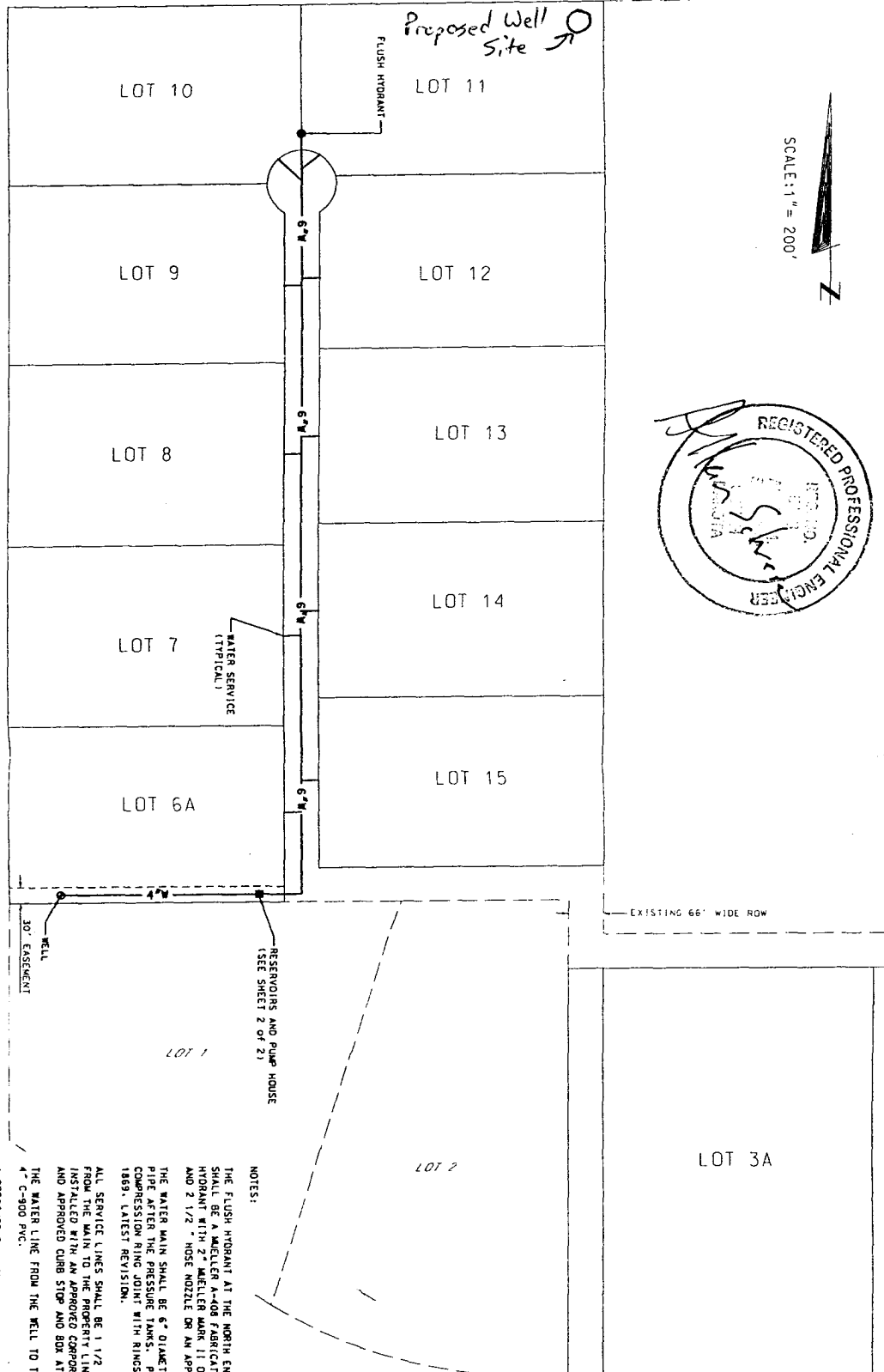
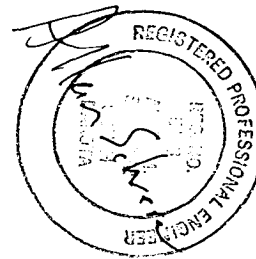
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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



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

SCALE: 1" = 200'



NOTES:

1. THE FLUSH HYDRANT AT THE NORTH END OF THE CUL-DE-SAC SHALL BE A MELLER A-408 FABRICATED POST TYPE FLUSHING HYDRANT WITH 2" MELLER MARK II ORISEAL VALVE SHUT-OFF AND 2 1/2" HOSE NOZZLE OR AN APPROVED EQUAL.
2. THE WATER MAIN SHALL BE 6" DIAMETER C-900 PVC PRESSURE PIPE AFTER THE PRESSURE TANKS. PVC JOINTS SHALL BE RUBBER COMPRESSION RING JOINT WITH RINGS CONFORMING TO ASTM D 1893, LATEST REVISION.
3. ALL SERVICE LINES SHALL BE 1 1/2" 1/2" INCH TYPE K COPPER INSTALLED FROM THE MAIN TO THE PROPERTY LINE. THE SERVICES SHALL BE INSTALLED WITH AN APPROVED CORPORATION STOP AT THE MAIN AND APPROVED CURB STOP AND BOX AT THE PROPERTY LINE.
4. THE WATER LINE FROM THE WELL TO THE RESERVOIR SHALL BE 4" C-900 PVC.
5. A PRESSURE TANK SHALL BE INSTALLED IN EACH HOME WHEN CONSTRUCTED. TANKS SHALL BE APPROXIMATELY THE SAME SIZE AS PUMP HOUSE PRESSURE TANKS (85 GALLON).

SHEET NO.	2
DATE	12/1/2010
DESIGNED BY	MS. LUNA
CHECKED BY	DATE
DATE	12/1/2010

NJS ENGINEERING

221 JACKSON BLVD. SUITE 1
SOUTH DAKOTA 57113
TEL: (605) 438-4172 FAX: (605) 438-4173

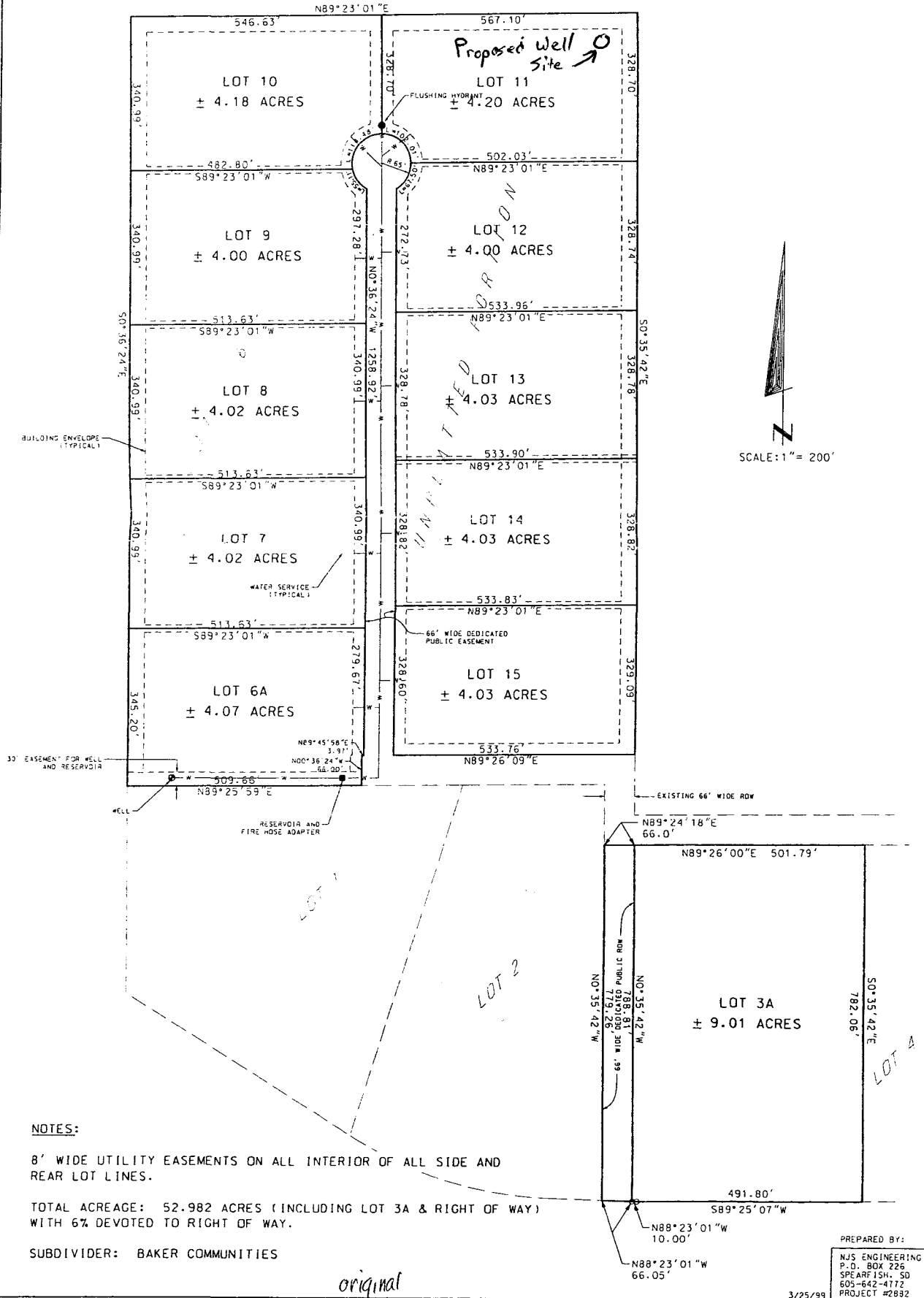
REV.	DESCRIPTION	DATE	BY

WATER LAYOUT PLAN

HARTS ELK CREEK RANCHETTES NO. 2
MEADE COUNTY, SOUTH DAKOTA

SHEET 1 OF 2
2887

PRELIMINARY PLAT OF HARTS ELK CREEK RANCHETTES NO. 2
 LOT 3A AND LOTS 6A-15, BEING A SUBDIVISION OF LOT 6
 HARTS ELK CREEK RANCHETTES
 AND AN UNPLATTED PORTION OF THE
 W1/2 OF THE SE1/4 OF SECTION 8, T3N, R7E
 MEADE COUNTY, SOUTH DAKOTA



VICINITY MAP
HARTS ELK CREEK RANCHETTES NO. 2
MEADE COUNTY, SOUTH DAKOTA

001-57-012

T 3 N

8

Elk Creek

well location →

ELK CREEK ROAD

MC-4

LOT 1

LOT 2

LOT 3A

LOT 4

LOT 5

MC-7

R 7 E



SCALE: 1"=800'

9

PREPARED BY:
NJS ENGINEERING
10101 22ND
SPRINGFIELD
605-642-4772
PROJECT #2882
3/25/99

1700-1



RALPH L. TAYLOR, JR. (Randy)
KIM E. TAYLOR

TELEPHONE:
Office: (605) 348-3600
After Hours: (605) 341-8417
cell: (605) 787-4989

Harts Elk Creek Ranchette
Attn: Doug Johnson

This Estimate is for a Water Well to be drilled & completed
Into the Inyan Kara Formation using 5 1/2" O.D steel casing

Estimated Depth of completed well: 600 ft
Estimated Static water level: 0 ft

50 ft	9 7/8" Drilling
50 ft	7 5/8" O.D 26 lb/ft steel casing
Lump Sum	Pressure grout 7 5/8" casing w/cement grout
550 ft	6 3/4" Drilling
602 ft	5 1/2" O.D 15.5 lb/ft steel casing
Lump Sum	Pressure grout 5 1/2" casing w/cement grout
Lump Sum	Chlorinate Well
4 hrs.	Air development & testing production
Lump Sum	Geophysical logging & casing perforations

MAILING ADDRESS: P.O. BOX 7738 • RAPID CITY, SOUTH DAKOTA 57709-7738

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date Jan 23, 2007

RECEIVED OF Harts Elk Creek Ranchettes #2, PO Box 371, Piedmont SD 57769

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. <u>1876-1</u>		
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	50.00

No.

02856

By

Darland White
Chief Engineer
gm

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date Jan 23, 20 07

RECEIVED OF Hart's Elk Creek Ranchetts #2, PO Box 371, Piedmont SD 57769

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

Fee for Application for Permit No. <u>1876-1</u> to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
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	50.00

No.

02855

By

Darland Erbe
Chief Engineer *gm*



**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. 1876-1, Harts Elk Creek Ranchettes #2**

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. 1876-1, Harts Elk Creek Ranchettes #2, c/o Brad Ehresemann, President, PO Box 371, Piedmont SD 57769.

The Chief Engineer is recommending APPROVAL of Application No. 1876-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 1876-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

See report on application for additional information.

Garland Erbele, Chief Engineer
March 6, 2007

REPORT ON APPLICATION NO. 1876-1

For Harts Elk Creek Ranchettes #2

February 14, 2007

Application 1876-1 proposes to appropriate 0.08 cubic feet of water per second (cfs) from one well to be completed into the Inyan Kara aquifer (approximately 600 feet deep) located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T3N-R7E in Meade County. The water is for use in a suburban housing development.

AQUIFER – INYAN KARA (INKR)

The Inyan Kara Group of Early Cretaceous age is composed of the Lakota and Fall River Formations which consist of interbedded sandstone (thin bedded to massive), siltstone and shale. The Inyan Kara is approximately 250 feet thick in this area. The Inyan Kara underlies 2.1 million acres and contains an estimated 36 million acre feet of recoverable water in storage in Meade County (Allen, 1984). The Inyan Kara is under confined or artesian conditions at this site. Recharge to the Inyan Kara is primarily from stream flow losses where streams cross the exposed formation and infiltration of precipitation falling directly on surface outcrops.

The Water Rights Program monitors two observation wells completed into the Inyan Kara aquifer located within close proximity of this application. The observation well used for this report (PE-95E) is located approximately 8 $\frac{1}{2}$ miles southeast of this site. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. A hydrograph for PE-95E is included in this report and labeled as Figure 1.

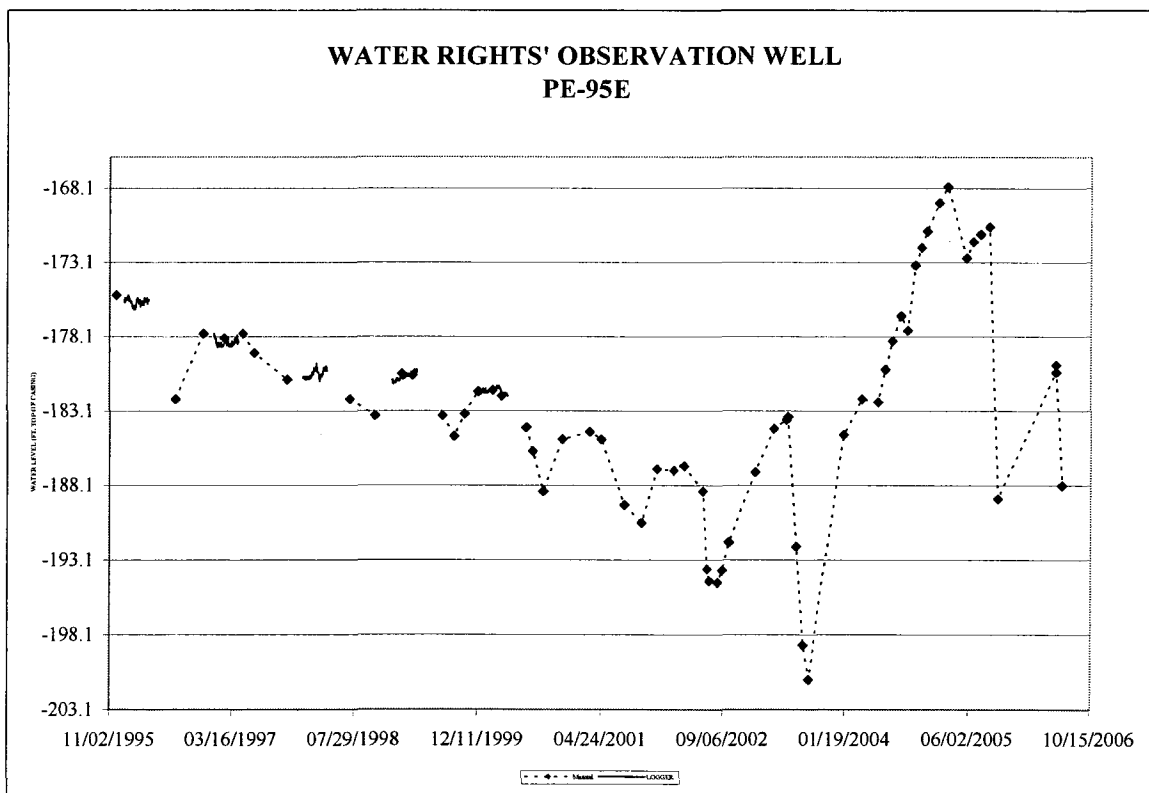
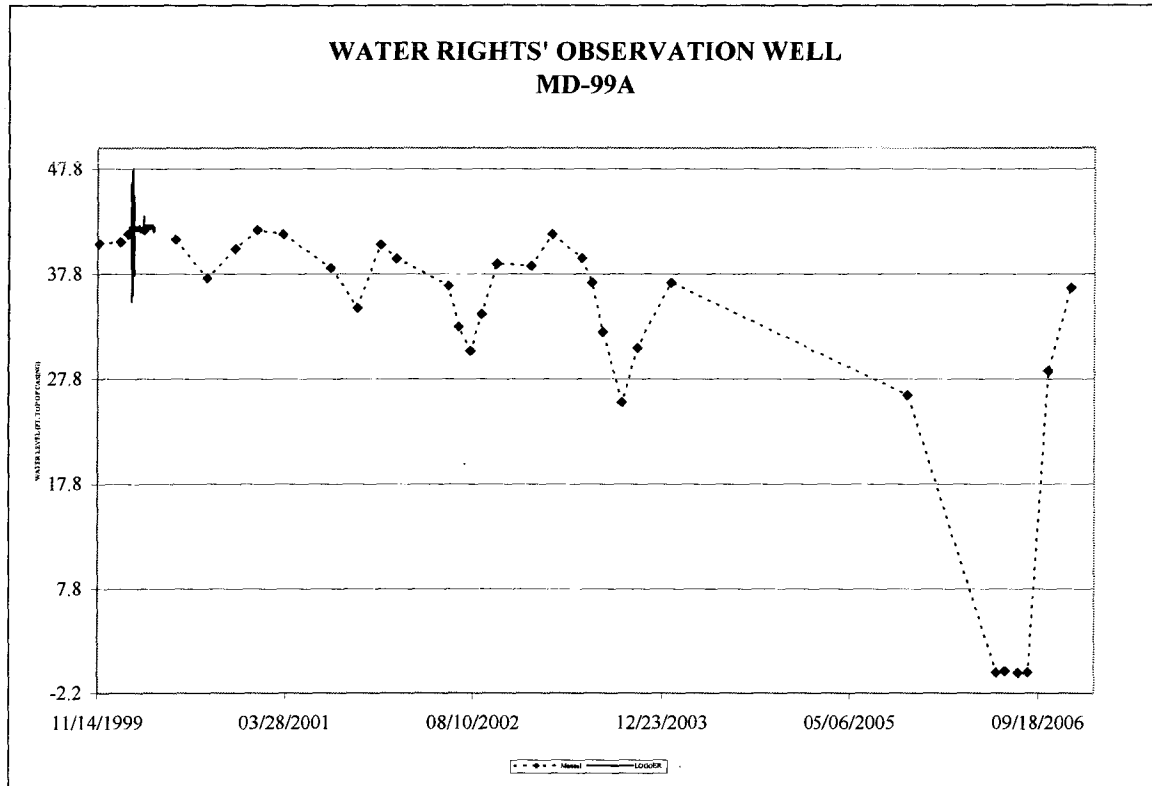


Figure 1. Hydrograph of observation well PE-95E.

The second observation well (MD-99A) is located approximately ½ mile to the southeast of this site. Although located nearest to this application, the observation well record for MD-99A shows some unusual and unexplained water level readings that were recorded in summer 2006. The hydrograph also indicates that the well seems to be recovering from observation of the last two water level measurements. The hydrograph for this well is included in this report and labeled as Figure 2.

In general the observation well record indicates that the aquifer is being recharged at this time and is capable of sustaining additional withdrawals (Water Rights, 2007).



REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are several existing Water Rights appropriating ground water within a two mile radius of this application. A list of the permits is included with this report labeled as Table 1. The nearest water right/permit from the Inyan Kara aquifer is approximately ¼ mile to the south. This well is for Water Rights No. 1812-1 (0.167 cfs for suburban housing development use). Interference should not be a problem.

Table 1. Table identifying permits within a two mile radius of the application.

PERMIT NO	LAST NAME	AQUIFER	USE	CFS
1642-1	EAGLE RIDGE HOMEOWNERS	MDSN	SHD	0.089
1664-1	BUFFALO RIDGE WATER USERS	INKR	SHD	0.100
1700-1	HART'S ELK CREEK	INKR	SHD	0.111
1812-1	RDT WATER ASSOCIATION LLC	INKR	SHD	0.167

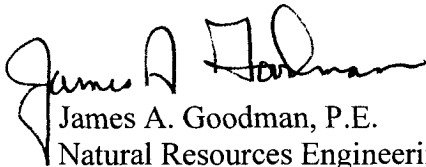
CONCLUSIONS

1. The Inyan Kara aquifer is a viable groundwater source and water is available for this appropriation.
2. Interference should not be a concern because of the relatively small pumping rate and the distance between existing wells.
3. The well authorized for this application must be completed in accordance with SD Well Construction Standards.



Aaron R. Tieman
Natural Resources Engineer

Approved by



James A. Goodman, P.E.
Natural Resources Engineering Director

BIBLIOGRAPHY

Allen, J.C., D. Iles, A. Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3 & 4: Groundwater Resources Inventory, US Army Corp of Engineers Contract DAWC 45-82-C015, SD DENR Division of Geological Survey, Vermillion SD.

Water Right, 2007, Unpublished Observation Well Data, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

Form 8

RECEIVED
MAR 22 2007
WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Meade) SS

I, Ram Buhler

certify that the attached printed Notice was
taken

from the Meade Co Times

printed and published in Sturgis

County of Meade and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

March 14, 2007

March 21, 2007

Cost of Printing 43.01

Ramela Buhler
(Signature)

Office Manager / Notary
(Title)

3/21/07
(Date Signed)

NOTICE OF APPLICATION NO.

1876-1 to Appropriate Water

Notice is given that Harts Elk Creek Ranchettes #2, Brad Ehresmann, Pres., PO Box 371, Piedmont SD 57769 has filed an application for a water permit to appropriate 0.08 cubic feet of water per second from one well to be completed into the Inyan Kara Formation (approximately 600 feet deep) located in the NW 1/4 SE 1/4 Section 8-T3N-R7E. The water is for use in a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1876-1 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 these applications, 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 this 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 recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 12, 2007.

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.
Meade County Times-Tribune
Publ. March 14 & 21, 2007



March 7, 2007

MEADE COUNTY TIMES TRIBUNE
PO BOX 69
STURGIS SD 57785

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 1876-1 to Appropriate Water to be published twice. Please publish the first notice on March 14, 2007 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 Hart's Elk Creek Ranchette's #2 Brad Ehresmann PO Box 371 Piedmont SD 57769 (Ph # 605-787-9302).

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. 1876-1

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

Date _____

We are in receipt of your letter of March 7, 2007 enclosing Notice to Appropriate Water by Application No. 1876-1 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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

March 7, 2007

HARTS ELK CREEK RANCHETTES # 2
PO BOX 371
PIEDMONT SD 57769

Dear Mr. Ehresmann:

Water Permit Application No. 1876-1 for suburban housing 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 County Times 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 recommendations of the Chief Engineer and reports on the applications 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 Notices 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 applications.

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.

Instruction to Newspaper - Publish first Notice on March 14, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1876-1 to Appropriate Water

Notice is given that Harts Elk Creek Ranchettes #2, Brad Ehresmann, Pres., PO Box 371, Piedmont SD 57769 has filed an application for a water permit to appropriate 0.08 cubic feet of water per second from one well to be completed into the, (approximately 600 feet deep) located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8-T3N-R7E. The water is for use in a suburban housing development.

Inyan Kara Formation

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1876-1 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 these applications, 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 this application. Notice of the hearing will be given to the applicant and any person filing a petition.

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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

APR 20 2007

HART'S ELK CREEK RANCHETTES # 2
PO BOX 371
PIEDMONT SD 57769

Dear Sir:

Enclosed is Water Permit No. 1876-1 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 12, 2007

1700-1

1876-1

Brad Ehresmann
Hart's Elk Creek Ranchettes #2
PO Box 371
Piedmont SD 57769-0371

Dear Mr. Ehresmann:

Thank you for contacting us concerning the necessary ownership changes for Water Permit Nos. 1700-1 and 1876-1.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

enclosures

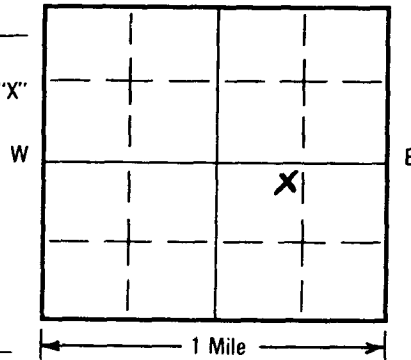
SOUTH DAKOTA WATER WELL COMPLETION REPORT

1876-1

07-92

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

Please mark well location with an "X"



Well Completion Date

Nov. 4, 07

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 175 ft. from Septic (identify source).

PROPOSED USE: ☒ U. H. D.,

☐ 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
<u>26</u> LB/FT	<u>7 5/8</u> IN	<u>+1</u> FT	<u>43</u> FT	<u>9 7/8</u> IN
<u>15.5</u> LB/FT	<u>5 1/2</u> IN	<u>+2</u> FT	<u>620</u> FT	<u>6 3/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Type I-II</u>	<u>14</u>	<u>14</u> lb./gal	<u>0</u> ft.	<u>43</u> ft.
<u>Type I-II</u>	<u>70</u>	<u>14</u> lb./gal	<u>0</u> ft.	<u>620</u> ft.

Describe grouting procedure Pressure grouted through casing

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: shocking solution
☐ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Harts Elk Creek Ranchettes

Business Name: _____

Address: P.O. Box 371

Piedmont SD 57769

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Sandy clay</u>	<u>0</u>	<u>6</u>
<u>Gravel</u>	<u>6</u>	<u>30</u>
<u>Mowry</u>	<u>30</u>	<u>90</u>
<u>Newcastle</u>	<u>90</u>	<u>150</u>
<u>Skull creek</u>	<u>150</u>	<u>295</u>
<u>Troyan KARA</u>	<u>295</u>	<u>540</u>
<u>Sundance</u>	<u>540</u>	<u>620</u>

STATIC WATER LEVEL 0 Feet

If flowing: closed in pressure 8 PSI

GPM flow 50 through open Discharge inch pipe

Controlled by ☒ Valve ☐ Reducers ☐ Other Flowing Well PASSES

Reduced Flowrate _____ GPM

Can well be completely shut in? Yes

WELL TEST DATA:

☐ Pumped

Describe: Air Developed

☐ Bailed

☒ Other

Pumping Level Below Land Surface

300 ft. After 13 Hrs. pumped 300 GPM

140 ft. After 35 Hrs. pumped 150 GPM

If pump installed, pump rate _____ GPM

REMARKS

1st Perforated casing
315 - 334 2 shots Per. FT.
518 - 528 4 shots Per. FT.

This well was drilled under license # 331

And this report is true and accurate.

Drilling firm Taylor Drilling

Signature of License Representative:

K Tyl

Signature of Well Owner or Equitable Property Holder:

Date: Nov. 4, 07

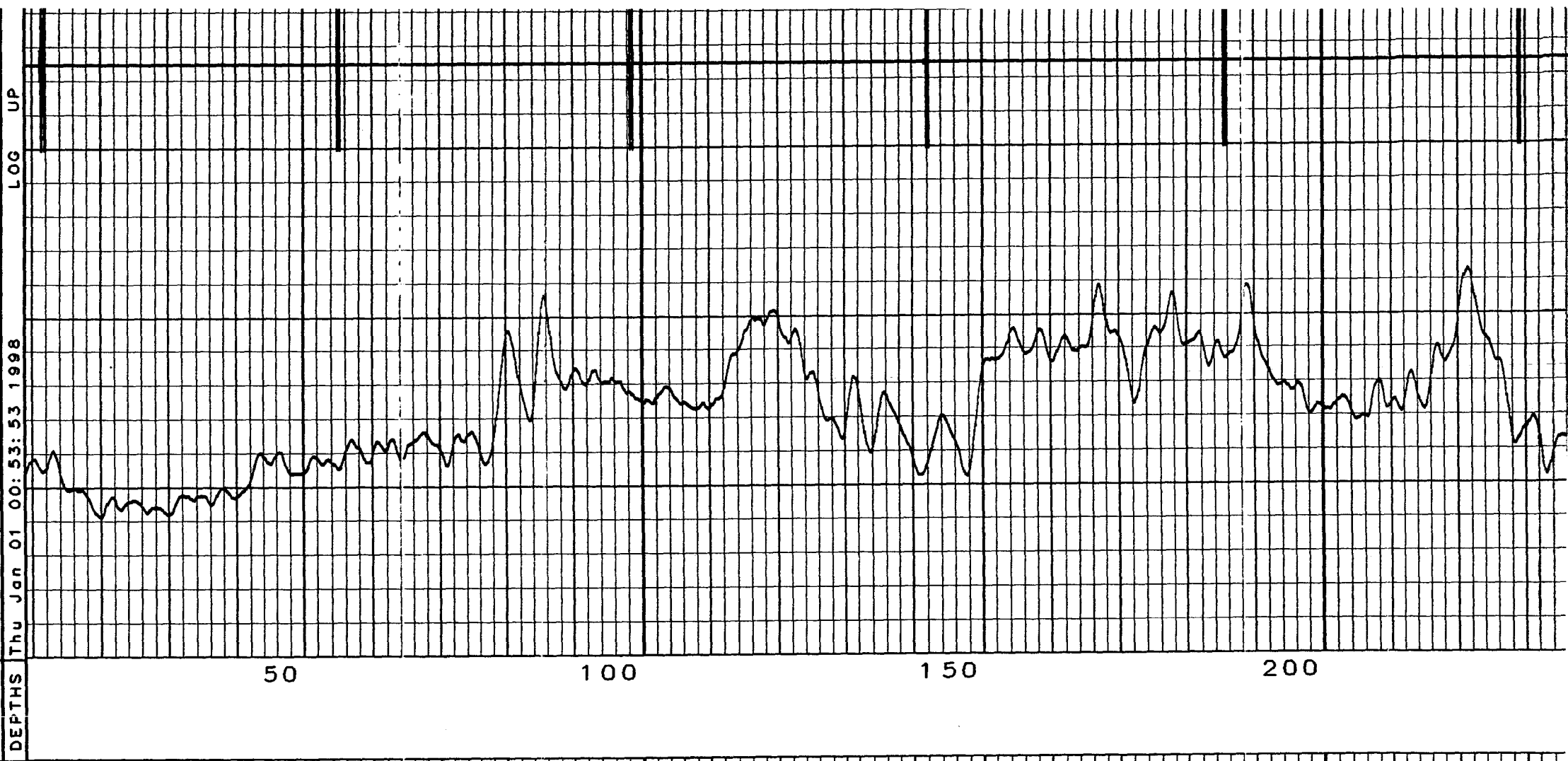
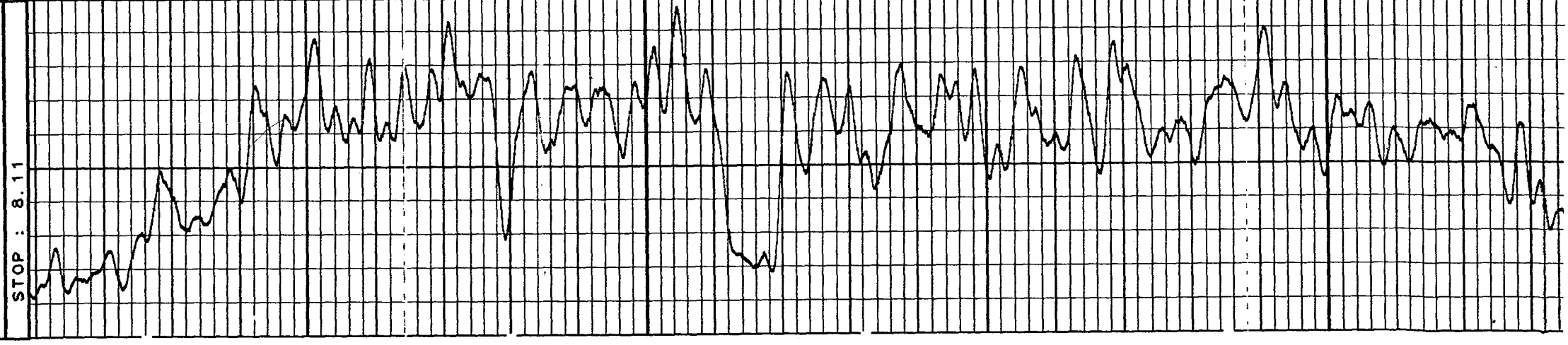
RECEIVED
 NOV 28 2007
 WATER RIGHTS
 PROGRAM

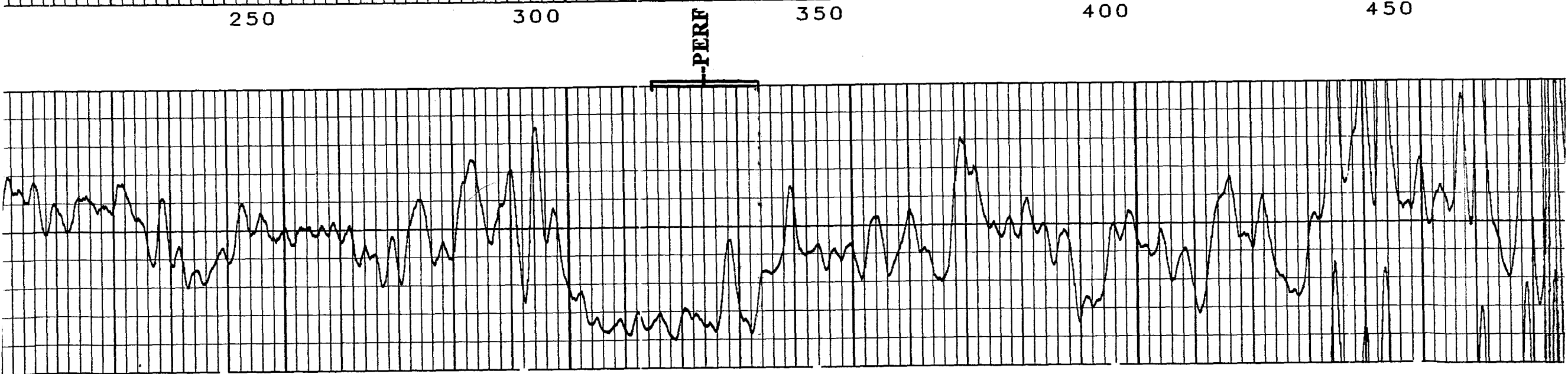
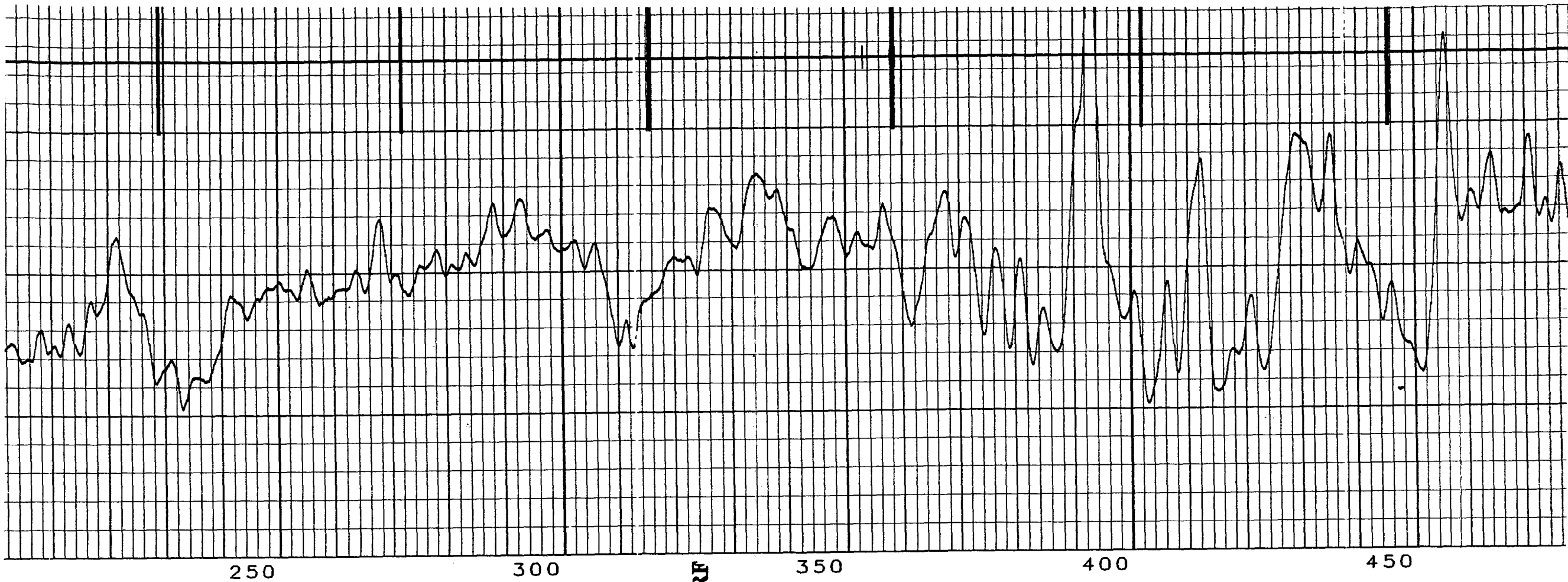
GAMMA RAY
NEUTRON

[illegible]

CHART SCALING
0.00 GAMMA RAY 120.00
120.00 GAPI 240.00

CHART SCALING
0.00 NEUTRON
CPS 250.00
250.00 CCL
1500.0 MV
1500.0 CCL
2500.0 MY





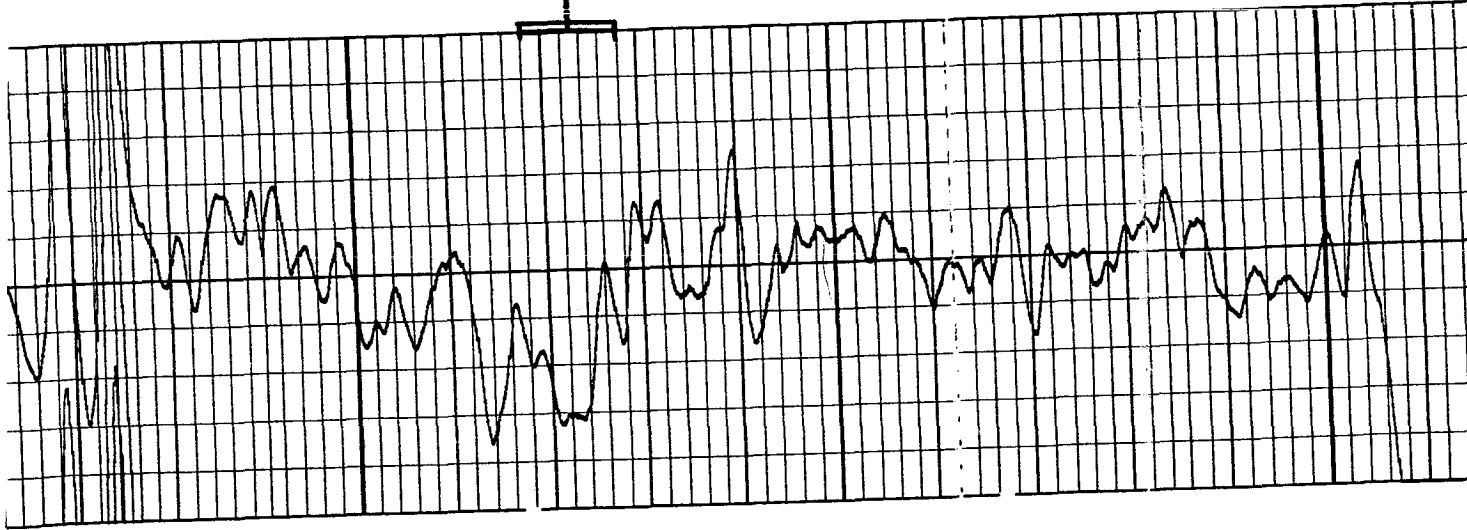


CHART SCALING
 0.00 GAMMA RAY 120.00
 120.00 GAPI 240.00

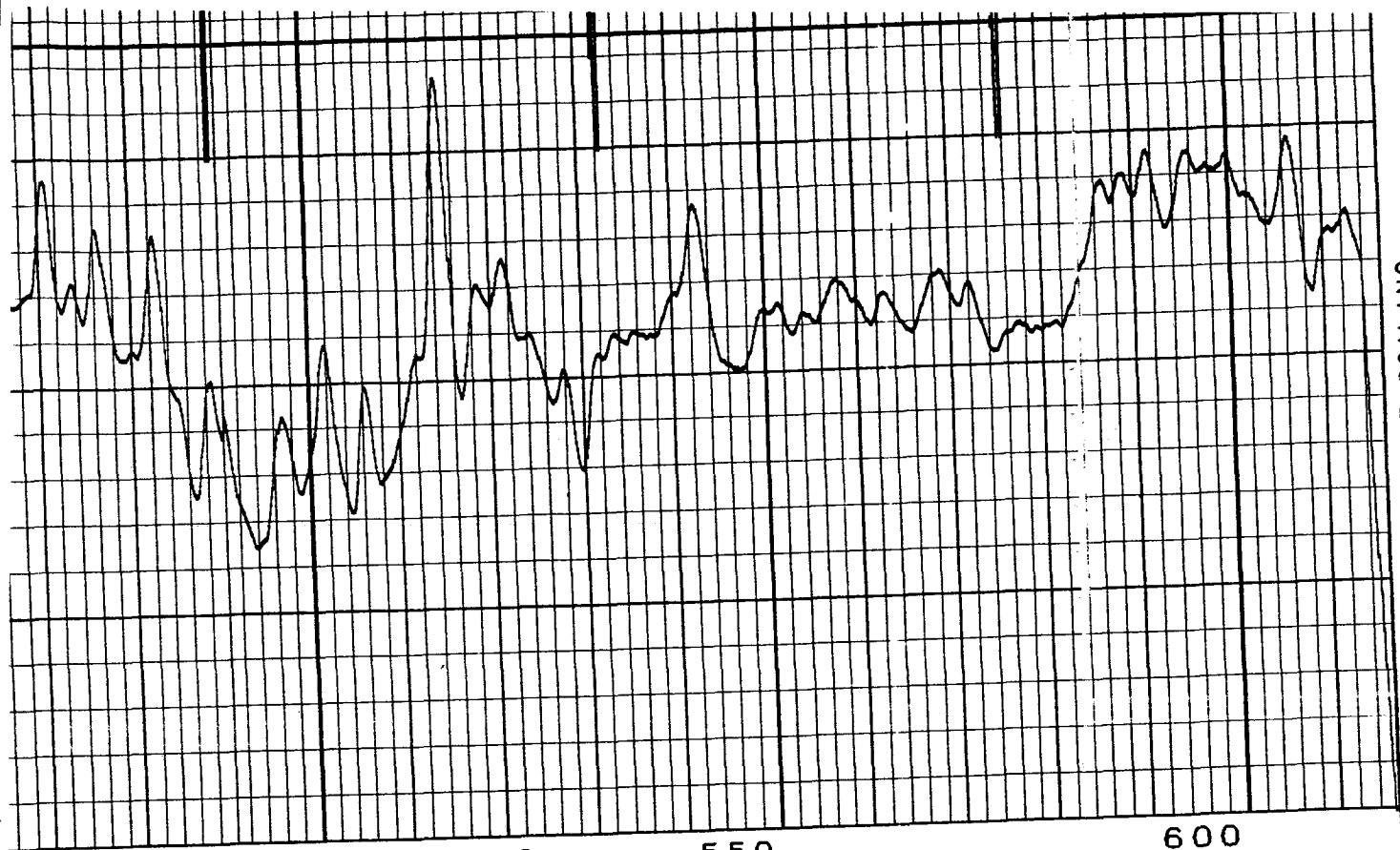


CHART SCALING
 0.00 NEUTRON
 CPS
 2500.00 CCL
 MV
 1500.00 CCL
 MY

START DEPTH: 616.33

DEPTHS Thu Jan 01 00:34:32 1998

LOG UP



18 76-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 20, 2007

No. 1700-1
1876-1

Brad Ehresmann
Hart's Elk Creek Ranchettes #2
PO Box 371
Piedmont SD 57769-0371

Dear Mr. Ehresmann:

In October, we forwarded you two "Notice of Transfer" forms to complete and return to us for filing an ownership change on Water Permit Nos. 1700-1 and 1876-1. The water permits are currently listed in the name of Hart's Elk Creek Ranchettes #2. To date, we have not received the forms back.

Enclosed are another set of partially completed forms. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (\$5.00 total). The check or money order for the fee can be made payable to the Water Right Program.

If you have any questions, please contact me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

JAN 21 2009

WATER RIGHTS
PROGRAM

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

No. 1876-1

Date: 1/19/2009

I/We request that Water Permit No. 1876-1

formerly owned by: Hart's Elk Creek Ranchettes No. 2

be transferred to: (name & address) Elk Creek 7 Water Association
P.O. Box 371
Piedmont, SD 57769 Telephone No. _____

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

well location: NW ¼ SE ¼ Section 8, T3N, R7E

I/We understand that the validity of Water Permit No. 1876-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Elk Creek 7 Water Assoc., the new owner, certify that the above information is true and correct.

David Elhusman Preso of Elk Creek 7 Water Assoc.
(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 1/21/, 20 09

RECEIVED OF Elk Creek 7 Water Assn PO Box 371 Piedmont SD 57769

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		
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>1876-1</u>	2	50
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	2 50

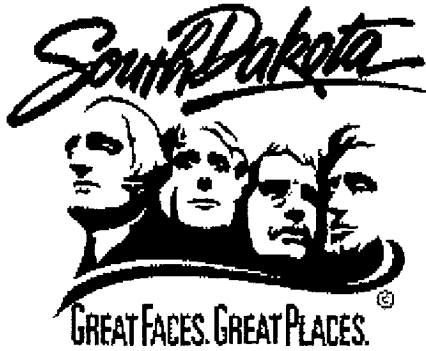
No.

03003

By

Laural Erbe

Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 2009

1700-1
1876-1

Brad Ehresmann
Elk Creek 7 Water Association
PO Box 371
Piedmont SD 57769-0371

Dear Mr. Ehresmann:

I am writing to acknowledge receipt of the ownership changes you filed for Water Permit Nos. 1700-1 and 1876-1.

The transfers have been completed. The water permits formerly listed in the name of Hart's Elk Creek Ranchettes No 2 are now listed in the name of Elk Creek 7 Water Association.

Enclosed are your Receipt Nos. 03962 and 03963 in the amount of \$2.50 each. You may keep these for your records.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

Permit No. 1876-1
Upper Cheyenne River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **August 28, 2012**, made a thorough examination of the water use system constructed by **Elk Creek 7 Water Association** of **PO Box 371, Piedmont, SD 57769** holder of Permit No. **1876-1**, bearing the priority of **January 23, 2007** authorizing the diversion of **0.08** cu. ft. per second of the waters of the **Inyan Kara Formation** for **Suburban Housing Development use** purposes, in **Meade** County.

Inspection contact & relationship **Brad Ehresmann**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Taylor**
- 2) No. of Wells **1**
- 3) Depth(s) **620** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **7 5/8 , 5 1/2** inches
- 2) Length **620** feet
- 3) Type **Steel**

Screen:

- 1) Type **None**

Pump:

- 1) Make **Flynt and Walling**
- 2) Model **4F-35S-20**
- 3) Size **2 hp**
- 4) Capacity **35** GPM

B. Compliance with Permit Requirements:

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

3) Exceptions to compliance are: None

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

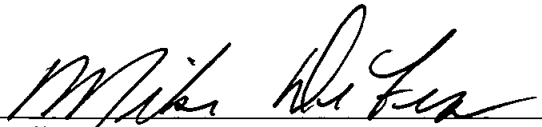
Approximately 2,515 feet north and 1,580 feet west of the SE corner of Section 8-T3N-R7E
(N 44.23455, W -103. 29830) (NW ¼ SE ¼)

The works are capable of diverting and conveying to the place of use 0.08 cu. ft. per second of water which is to be used for Suburban Housing Development use.

The license should be issued for 0.08 cfs.

All structures, wells and lands on map Y

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



Mike DeFea
Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: December 5, 2013

Elk Creek 7 Water Association Water Permit No. 1876-1



0 750 1,500 3,000
Feet

Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
December 5, 2013



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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

MAR 13 2014

1876-1

Brad Ehresmann
Elk Creek 7 Water Association
PO Box 371
Piedmont SD 57769

Dear Mr. Ehresmann:

Enclosed is Water License No. 1876-1. This is the final water right document completing the 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. 1876-1, 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,

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1876-1**

(1) Harts Elk Creek Ranchettes #2, Piedmont SD 57769 made Application No. 1876-1, January 23, 2007 for a water permit to divert 0.08 cubic feet of water per second from ground water (one well – Inyan Kara Formation), Meade County, South Dakota for suburban housing development purposes. Permit No. 1876-1, with a priority date of January 23, 2007 was approved April 12, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 12, 2012 and for the application to beneficial use of water on or before April 12, 2016.

Water Permit No. 1876-1 was transferred January 21, 2009, to Elk Creek 7 Water Association, PO Box 371, Piedmont SD 57769.

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

The location of the diversion point is 2,515 feet north and 1,580 feet west of the SE corner of Section 8, T3N, R7E (NW ¼ SE ¼).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Elk Creek 7 Water Association, PO Box 371, Piedmont SD 57769-0361 the holder and/or owner of Water Right No. 1876-1 is issued a license to appropriate water, the right to use 0.08 cubic feet of water per second from ground water (one well – Inyan Kara Formation) with a priority date of January 23, 2007 from the location specified in (2) of this license for suburban housing development purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1876-1 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 1876-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *Well completed in November, 2007 by Taylor Drilling. Log is on file with the Water Rights Program.*



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

MAR 13 2014

date

