

WATER PERMIT NO. 1877-1

Name of Applicant: **Lundgren-Poss Water LLP**

Address: **19587 4 Mile Rd, Sturgis SD 57785-6328** Phone: **605 347-3233**

Amount of Water Claimed: **0.09 cfs** Total Acres: **NA**

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

Water to be used for: **livestock and domestic** County: **Meade**

Type of Waste Disposal System:

Location: **approximately 20 miles northeast of Sturgis**

PRIORITY Date Received: **1-29-07** Application/License Fee: **\$200**

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

Remarks:

Diversion Point: **SE ¼ SE ¼ Sec 23-T7N-R8E**

Land to be Irrigated:

Depth of Well: **2920 feet deep**

Well Driller: : **Weston Engineering Inc.**

Remarks:

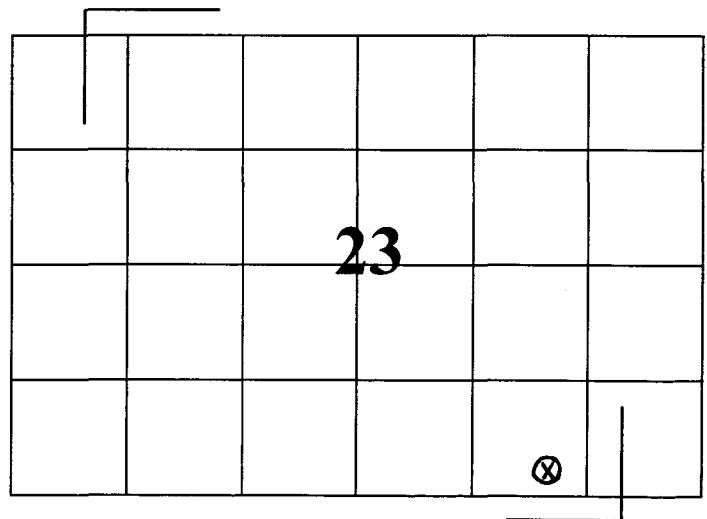
Type of Map: **aerial**

Prepared by: **Dustin Swan, SCS**

Reviewed and the Number Assigned on: **1-29-07**

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>1877-1</u> (office use only)	Hydrologic Unit	<u>10120202</u>
	Basin	<u>Belle Fourche River</u>		
	Newspaper	<u>Meade Co Times Sturgis</u>		
	<u>605-347-2503</u>	<u>SD57783</u>		

RECEIVED
JAN 29 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	<u>Livestock water</u>

Type of Application:
(check one)

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

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

1. Name of Applicant Lundgren-Poss Water, LLP Phone (605) 347-3233
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 19587 4-Mile Road, Sturgis State SD 57785-6328
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.09 *CFS or 40 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Ground water
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Meade
1 well in SE1/4SE1/4 of Section 23, T7N, R8E, BHM, Meade County, SD
5. County or counties where water will be used Meade County
6. Annual period during which water is to be used January 1 through 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)
Livestock Water and water for domestic use in two residences for Dale and Janice Lundgren and Poss Ranch, Inc., their heirs, successors and assigns and selling livestock water to others.

STATE OF SOUTH DAKOTA)
County of Meade) SS

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

I, Janice Lundgren, Partner & Registered Agent of Lundgren-Poss Water, LLP, 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 Janice Lundgren

Subscribed and sworn to before me this 26 day of January 20 07

Carol Kaye
Notary Public signature
Comm exp 6/14/07

**SOUTH DAKOTA
WATER PERMIT NO. 1877-1**

Date of first receipt of application January 29, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1877-1 to Lundgren-Poss Water LLP, 19587 4-Mile Road, Sturgis SD 57785-6328 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. 1877-1 appropriates 0.09 cubic feet of water per second from one well completed into the Inyan Kara Aquifer (2920 feet deep) located in the SE 1/4 SE 1/4 Section 23-T7N-R8E.
2. The water appropriated shall be used for the purpose of a common distribution system to serve livestock and domestic uses 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. 1877-1 is May 14, 2007.
5. The date from which applicant may claim right is January 29, 2007.
6. One-fifth of the construction is to be completed on or before November 14, 2009.
7. All construction is to be completed on or before May 14, 2012.
8. Water is to be put to beneficial use on or before May 14, 2016.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

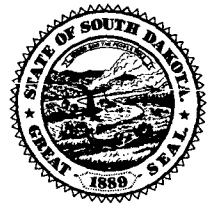
The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having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

WATER MANAGEMENT BOARD

By: Garland Erbele

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

JUN 20 2007
date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 14 3/4" Depth 30'
9 7/8" 900' 10 3/4" 40#/ft
- b) Casing Type steel Diameter 7 7/8" Thickness 23 #/ft
perforated 5 1/2" 5.5 #/ft
- c) Screen Type pipe Diameter 5 1/2" Thickness 140'
- d) Gravel Pack shale basket Length of Gravel Pack shale basket @ 2562'
- e) Depth to Top of Water Bearing Material 2920'
- f) Depth to Water (ground surface to water level) 50'
- g) Distance to nearest existing domestic well:
 On applicants property none On property owned by others 4 miles

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

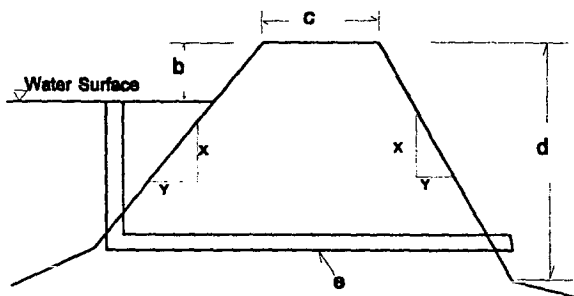
3. Dugout Information

- 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

Lundgren/Poss Well Location

Dale and Janice Lundgren
Ed Poss and Poss Ranch Inc.
1/23/2007

Justin Johnson
Soil Con. Tech 1/26/07
Sturgis, SD FO



1" = 1000'

LUNDGREN WATER SUPPLY WELL

LITHOLOGIC DESCRIPTIONS

Depth (Feet)	Principal Lithology	Description	Comments
0 - 3	Top Soil	Top Soil.	
3 - 12	Weathered Shale	Dark gray weathered shale.	Pierre Shale
12 - 695	Shale	Dark greenish-gray, hard, platy shale.	
695 - 840	Siltstone	Dark greenish-gray siltstone with interbedded sandstone and claystone.	
840 - 1035	Shale	Dark greenish-gray, iron stained shale with interbedded black marl, yellowish-gray, non-calcareous shale, and calcareous siltstone.	
1035 - 1105	Siltstone and Shale	Light gray shale and light gray to yellowish gray, chalky siltstone.	Noibrara Formation
1105 - 1515	Shale	Bluish to grayish-black non-calcareous shale with minor interbeds of gray marl, olive-gray, very fine grained sandstone.	Carlile Formation
1515 - 1580	Limestone and Mudstone	Dark gray, micritic to light-gray, sandy limestone. Some yellowish-gray, calcareous mudstone	Greenhorn Limestone
1580 - 1850	Siltstone	Dark brownish-gray, fissile shale with bentonite	Belle Fourche Shale
1850 - 2115	Shale	Brownish-black shale with pyrite and iron stains. Minor white, calcareous, arkosic sandstone.	Mowry Shale
2115 - 2310	Shale and Sandstone	Interbedded brownish-black, shale and medium gray, very fine grained, calcareous sandstone.	Muddy Formation
2310 - 2510	Shale	Black shale with rare dolomite and pyrite. Some iron staining in lower intervals.	Skull Creek Shale
2510 - 2742	Sandstone and Shale	Light gray, fine grained, carbonate cemented sandstone with dark gray, non-calcareous shale.	Dakota Sandstone
2742 - 2768	Shale	Dark gray, calcareous shale.	Fuson Shale
2768 - 2894	Sandstone	Light gray, very fine grained, quartz cemented sandstone. Minor black shale.	Lakota Sandstone
2894 - 2920	Shale	Pale gray, sticky, clayey shale.	Morrison Formation

T.D. = 2,920 feet

Note: For all logs, reported colors were determined using the GSA Rock Color Chart on wet samples.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

RECEIVED OF Lundgren-Poss Water LLP, 19587 4 Mile Rd, Sturgis SD 57785 Date Jan 29, 20 07

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

Fee for Application for Permit No. <u>1377-1</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>1377-1</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.

02887

By Barland Erbele
Chief Engineer

(KS)

January 26, 2007

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

RECEIVED
JAN 28
WATER RIGHTS
PROGRAM

Re: Lundgren-Poss Water, LLP Application

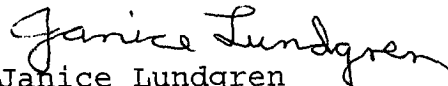
Dear Sir/Madam:

Enclosed are the following documents for Lundgren-Poss Water, LLP:

- Two signed Application for Permit to Appropriate Water within the State of South Dakota, Form 2
- Two Form 2A Supplemental Information
- Two South Dakota Water Well Completion Reports and Lithologic Descriptions
- Two signed maps of our well location
- Check in the amount of \$200.00 for the \$150.00 filing fee and the \$50.00 inspection/licensing fee.

If you should need anything further concerning this Application, please advise.

Sincerely,


Janice Lundgren
19587 4-Mile Road
Sturgis, SD 57785-6328
(605) 347-3233

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1877-1, Lundgren-Poss Water, LLP**

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. 1877-1, Lundgren-Poss Water, LLP, c/o Janice Lundgren 19587 4-Mile Road, Sturgis SD 57785-6328.

The Chief Engineer is recommending APPROVAL of Application No. 1877-1 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.

See report on application for additional information.

Garland Erbele, Chief Engineer
April 17, 2007

REPORT ON APPLICATION NO. 1877-1

For Lundgren-Poss Water, LLP

March 19, 2007

Application 1877-1 proposes to appropriate 0.09 cubic feet of water per second (cfs) from one well to be completed into the Inyan Kara aquifer (approximately 2,920 feet deep) located in the SE¼ SE¼ Section 23, T7N-R8E in Meade County. The water is for a common distribution system to serve livestock and domestic uses.

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 200 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. Information obtained from referenced material, the well completion report and information from neighboring wells indicate similar well depths and geologic correlation.

According to the well completion report filed with this application the static water level of the well constructed at this site was reported to be 50 feet below grade. The report also indicates that the well is completed in accordance with SD Well Construction Standards.

The Water Rights Program does not monitor any observation wells completed into the Inyan Kara aquifer within close proximity of this application. The closest observation well (MD-89A) is located approximately 20 miles southwest. Water levels for the well at that site 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 MD-89A is included in this report and labeled as Figure 1. The water level record indicates that current withdrawals do not exceed recharge. The aquifer is capable of sustaining additional water appropriations at this time (Water Rights, 2007).

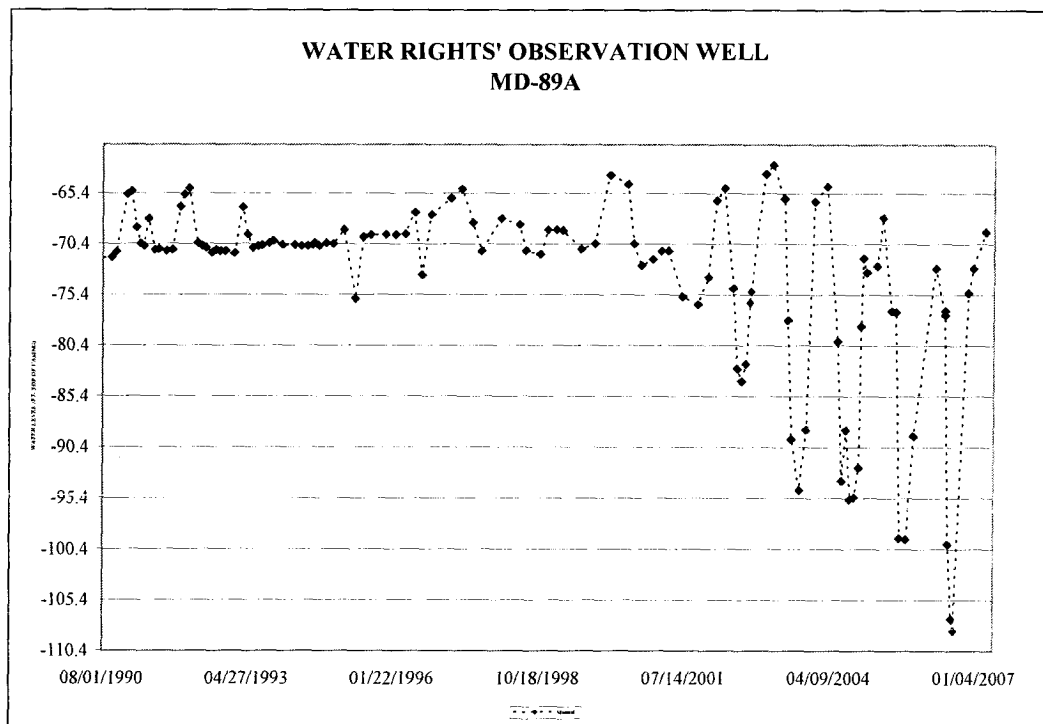


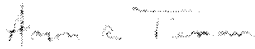
Figure 1. Hydrograph of observation well MD-89A.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest water right that has a well completed into the Inyan Kara aquifer is located approximately 11 miles to the southwest of this application. This well is for Water Right No. 1857-1 (0.33 cfs for commercial use). Interference is not expected to be a concern.

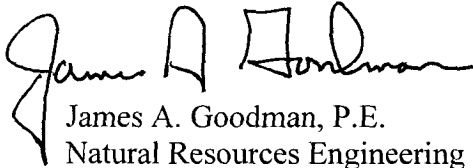
CONCLUSIONS

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 completion report indicates that the well is 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.

RECEIVED
APR 27 2007
WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA COUNTY OF MEADE

Pam Buhler, being duly sworn, says: That the Meade County Times Tribune/Black Hills Press is, and during all times hereinafter mentioned, is a legal newspaper as defined in SDDCL 17-2-2, as amended, published in Sturgis, Meade County, South Dakota, by Lee Enterprises; that affidavit is and during all of said times, was employed as an Accounting Clerk by the publisher of such newspaper and has personal knowledge of the facts stated in the affidavit, that the notice, order or advertisement, a printed copy which is attached, was published in said newspaper for successive issues, bearing the following dates:

<u>April 25</u>	<u>200 7</u>	<u>200</u>
<u>May 2</u>	<u>200 7</u>	<u>200</u>
<u>200</u>	<u>200</u>	<u>200</u>
<u>200</u>	<u>200</u>	<u>200</u>
<u>200</u>	<u>200</u>	<u>200</u>

that the full amount of the fee charged for publishing the same, to-wit, the sum of \$ 41.73, insures solely to the benefit of the publisher of said newspaper: that no agreement or understanding for the division of the fee has been made with any person, and that no part of the fee has been agreed to be paid to any other person.

Krista Beehler

Subscribed and sworn to before me this

26 day of May, 200 7
Pamela Beehler
Notary Public, South Dakota

Account No. 20 11 3058
Total Amount \$ 41.73

Public Notice

Notice of Application No. 1877-1 to Appropriate Water

Notice is given that Lundgren-Poss Water, LLP, c/o Janice Lundgren, 19587 4-Mile Rd, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.09 cubic feet of water per second from one well completed into the Inyan Kara Aquifer (2920 feet deep) located in the SE 1/4 SE 1/4 Section 23-T7N-R8E. The water is for a common distribution system to serve livestock and domestic uses.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1877-1 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 May 14, 2007.

The petition may be informal, but
PUBLIC NOTICES: (See page 14)

... Continued from page 13

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. April 25, 2007
& May 2, 2007





April 18, 2007

MEADE CO TIMES AND TRIBUNE
PO BOX 69
STURGIS SD 57785

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 1877-1 to Appropriate Water to be published twice. Please publish the first notice on April 25, 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 Lundgren-Poss Water LLP, 19587 4-Mile Rd. Sturgis SD 57785 (Ph # 605-347-3233).

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. 1877-1

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

Date _____

We are in receipt of your letter of April 18, 2007 enclosing Notice to Appropriate Water by Application No. 1877-1 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.

April 18, 2007

LUNDGREN-POSS WATER LLP
19587 4-MILE RD
STURGIS SD 57785

Dear Sir:

Water Permit Application No. 1877-1 for livestock and domestic uses has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Meade Co. Times & Tribune printed at Sturgis SD (Ph # 605-347-2503). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the 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 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 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 April 25, 2007 with the second publication 7 days later. The applicant is responsible for payment.

Notice of Application No. 1877-1 to Appropriate Water

Notice is given that Lundgren-Poss Water, LLP, c/o Janice Lundgren, 19587 4-Mile Rd, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.09 cubic feet of water per second from one well completed into the Inyan Kara Aquifer (2920 feet deep) located in the SE ¼ SE ¼ Section 23-T7N-R8E. The water is for a common distribution system to serve livestock and domestic uses.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1877-1 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 May 14, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 20 2007

Lundgren-Poss Water LLP
19587 4-Mile Rd
Sturgis SD 57785

Dear Sir:

Enclosed is Water Permit No. 1877-1 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

1877-1

September 29, 2008

RECEIVED

SEP 30 2008

WATER RIGHTS
PROGRAM

Department of Environment
and Natural Resources
PMB 2020
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

Re: Lundgren-Poss Water LLP
Water Permit No. 1877-1

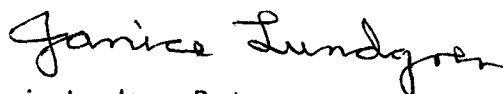
Dear Sir or Madam:

Enclosed is our Notice of Completion of Works and Application of Water to Beneficial Use.

You may schedule an investigation so that the water license may be issued at your convenience. If you need anything further from us, please advise. Thank you.

Sincerely,

Lundgren-Poss Water LLP



Janice Lundgren, Partner
19587 4-Mile Road
Sturgis, SD 57785-6328
(605)347-3233

Enclosure

RECEIVED

SEP 30 2008

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate September 29, 2008

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

FROM: Lundgren-Poss Water LLP(name)19587 4-Mile Rd.(address)Sturgis, SD 57785(city, state, zip)(605) 347-3233(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.

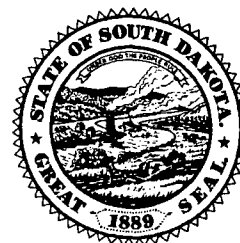
Water Permit No. 1877-1 states that the water use system is to be constructed by
May 14, 2012, and water is to be put to beneficial use by May 14, 2016.
(date) (date)

The water use system was completed on July 1, 2007.
(date)

Applying the water to beneficial use was completed on July 1, 2007.
(date)

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

Janice Lundgren
(signature)
Janice Lundgren, Partner





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 30, 2008

1877-1

Janice Lundgren
Lundgren-Poss Water LLP
19587 4-Mile Rd
Sturgis SD 57785-6328

Dear Ms. Lundgren:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with the system authorized by Water Permit No. 1877-1.

Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. 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. 1877-1
Belle Fourche River - Water District

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

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

I have this day, **October 13, 2009**, made a thorough examination of the water use system constructed by **Lundgren-Poss Water LLP** of **19587 4 Mile Rd., Sturgis, SD 57785** holder of Permit No. **1877-1**, bearing the priority of **January 29, 2007** authorizing the diversion of **0.09** cu. ft. per second of the waters of the **Inyan Kara Aquifer** for **Common Distribution to Serve Livestock and Domestic Use** purposes, in **Meade** County.

Inspection contact & relationship **Dale or Janice Lundgren (347-3233)**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Weston Engineering, Inc**
- 2) No. of Wells **1**
- 3) Depth(s) **2920** feet
- 4) Well log is available **Y**
- 5) Comment:

Casing:

- 1) Diameter **10 ¾, 7 and 5 ½** inches
- 2) Length **2920** feet
- 3) Type **Steel**

Screen:

- 1) Type **Perforated Steel**
- 2) Length **140** feet
- 3) Static water level **4** feet

Pump:

- 1) Make **Grundfos**
- 2) Model **40S50-15**
- 3) Size **5 hp**
- 4) Capacity **40** GPM

Motor:

- 1) Make **Franklin**
- 2) Serial No. **2366119020**

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 385 feet north and 205 feet west of the SE corner of Section 23-T7N-R8E
(N 44.54757, W -103.10551) (SE ¼ SE ¼)

The works are capable of diverting and conveying to the place of use **40** cu. ft. per second of water which is to be used for **Common Distribution to Serve Livestock and Domestic Use.**

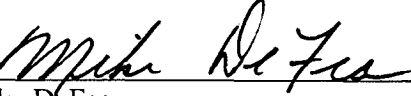
Water has been put to beneficial use to the maximum extent as follows:

Water from the well is used for domestic use for two residences and for livestock watering.

The license should be issued for **0.09**cfs.

All structures, wells and lands on map **Y**

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



Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: **October 21, 2009**

Sturgis, SD 57785



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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 13 2010

1877-1

Lundgren-Poss Water LLP
c/o Dale & Janice Lundgren
19587 4 Mile Rd
Sturgis SD 57785

Dear Mr. & Mrs. Lundgren:

Enclosed is Water License No. 1877-1. 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 investigation.

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. 1877-1

(1) Lundgren-Poss Water LLP, 19587 4 Mile Rd, Sturgis SD 57785-6328 made Application No. 1877-1, January 29, 2007 for a water permit to divert 0.09 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for a common distribution system to serve livestock and domestic use purposes. Permit No. 1877-1, with a priority date of January 29, 2007 was approved May 14, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 14, 2012 and for the application to beneficial use of water on or before May 14, 2016.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on September 30, 2008. The *Notice* stated the diversion system was completed on July 1, 2007 and the water placed to beneficial use on July 1, 2007.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 1877-1 is issued a license, bearing a priority date of January 29, 2007 to appropriate 0.09 cubic feet of water per second from groundwater (one well) for a common distribution system to serve livestock and domestic use purposes.

The diversion point is located: approximately 385 feet north and 205 feet west of the southeast corner of Section 23-T7N-R8E (SE ¼ SE ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1877-1 including the following now applicable qualification:

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



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

JAN 13 2010

date

