

WATER PERMIT NO. 1884-1

Name of Applicant: Black Hills Baptist Church

Address: 12205 Hwy 34, Whitewood SD 57793

Phone: 605 269-2646

Amount of Water Claimed: 0.026 cfs (12 gpm)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: institutional use

County: Lawrence

Type of Waste Disposal System:

Location: north of Whitewood

PRIORITY Date Received: 3-28-07

Application/License Fee: \$100

Corrected Application Received: 3-30-07

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: SW ¼ SE ¼ Sec 16-T6N-R4E

Land to be Irrigated: NA

Depth of Well: 730 feet deep

Well Driller: : Heaton Drilling

Remarks:

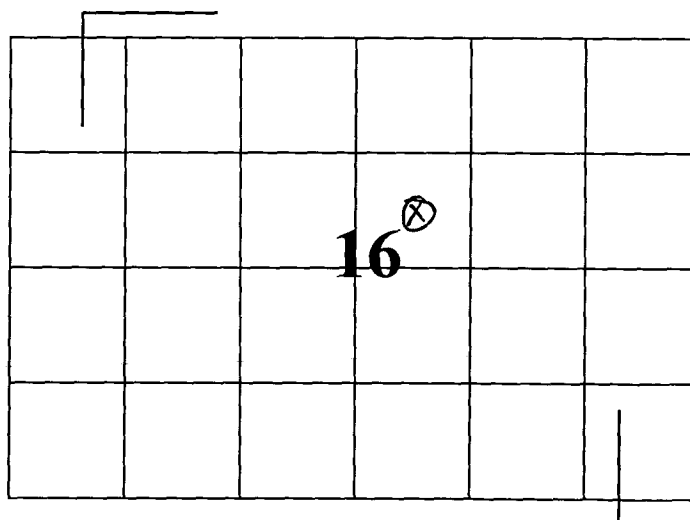
Type of Map: plat

Prepared by: Alan M Schreier, PE

Reviewed and the Number Assigned on: 3-30-07

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>1884-1</u>	(office use only) Hydrologic Unit <u>10/20203</u>
	Basin <u>Belle Fourche River</u>	
	Newspaper <u>Black Hills Pioneer Press</u>	
	<u>Spanish 57783</u>	<u>605-642-2761</u>

RECEIVED
MAR 30 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>Church</u>	

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.) _____

- Name of Applicant Black Hills Baptist Church Phone 605-269-2646
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 12205 Hwy 34 White Wood State S.D 57793
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.026 *CFS or 12 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
SW 1/4 SE 1/4 Sec 16 T 6 N R 4 E
County Lawrence
- County or counties where water will be used Lawrence
- Annual period during which water is to be used year around Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

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, James F. Willson, 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 James F. Willson trustee

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

My Commission Expires June 5, 2010
Fay Bueno

Fay Bueno
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 1884-1**

Date of first receipt of application March 28, 2007.

Date of return to applicant for corrections, amendments or changes March 28, 2007.

Date of receipt of corrected application March 30, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1884-1 to Black Hills Baptist Church, 12205 Hwy 34, Whitewood SD 57793 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. 1884-1 appropriates 0.026 cubic feet of water per second from one well completed into the Minnelusa Aquifer (730 feet deep) located in the SW ¼ SE ¼ Section 16-T6N-R4E.
2. The water appropriated shall be used for the purpose of institutional use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 1884-1 is July 2, 2007.
5. The date from which applicant may claim right is March 28, 2007.
6. One-fifth of the construction is to be completed on or before January 2, 2010.
7. All construction is to be completed on or before July 2, 2012.
8. Water is to be put to beneficial use on or before July 2, 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

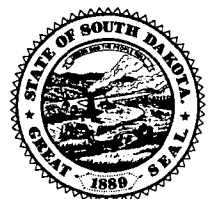
The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having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

WATER MANAGEMENT BOARD

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

AUG 03 2007

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 3/8 Depth 730
- b) Casing Type Steel Diameter 5 1/2 Thickness 1/4
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material ~~730~~ 705
- f) Depth to Water (ground surface to water level) 90 ft
- g) Distance to nearest existing domestic well:
- On applicants property X On property owned by others 400 yds

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) septic Tank
- b) System Capacity (gallons) 1500 gal Year Constructed 1985
- c) Connected to the City of _____ Sanitary System _____

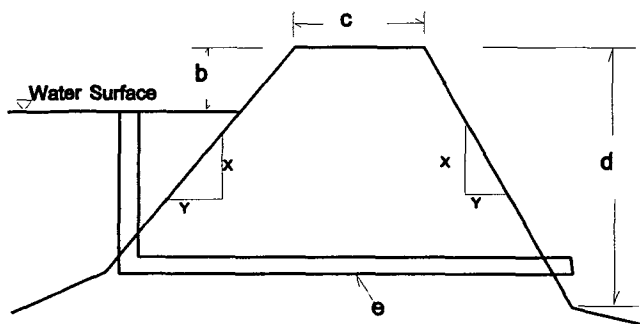
3. Dugout Information

- 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

[illegible]

EXHIBIT A: WELL LOCATION MAP
TRACT 2, BORUP SUBDIVISION,
SECTION 16, T6N, R4E, BHM
LAWRENCE COUNTY, SOUTH DAKOTA

SCHREIER
ENGINEERING

1403 5TH AVENUE, SUITE 6
BELLE FOURCHE, SD 57717

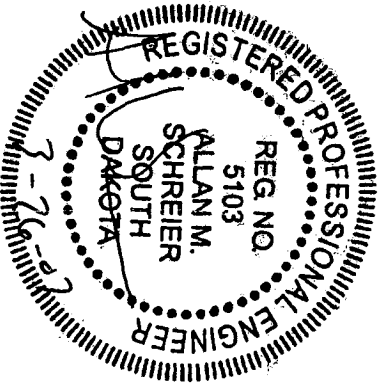
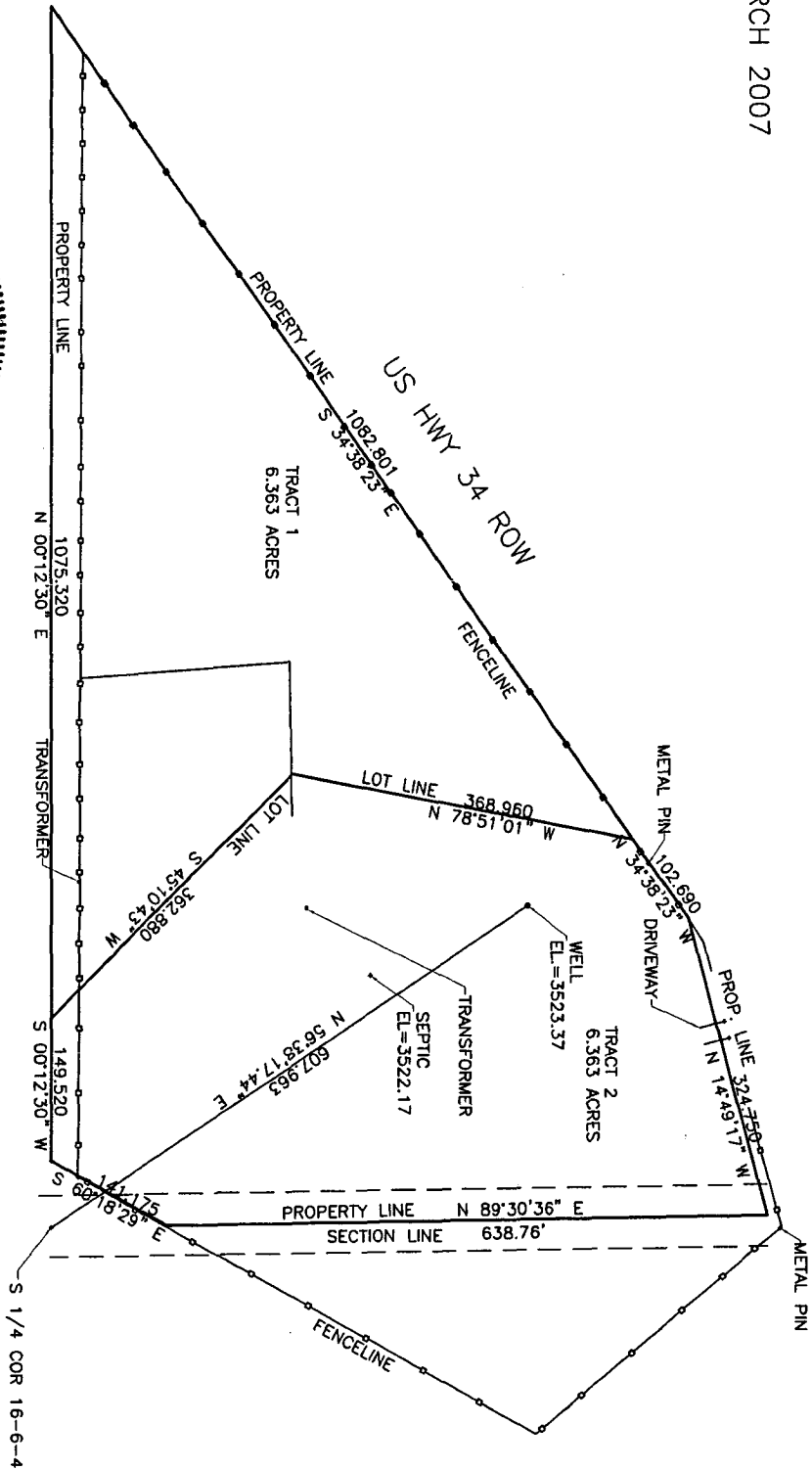
◇ PHONE (605) 892-2051
 ◇ FAX (605) 723-2051

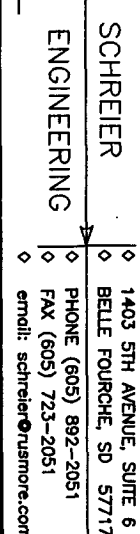
email: schreiber@rusmore.com

SURVEY	DATE	SECTION	DATE	DATE
SURVEY	DATE	SECTION	DATE	DATE
SECTION	DATE	SECTION	DATE	DATE



MARCH 2007



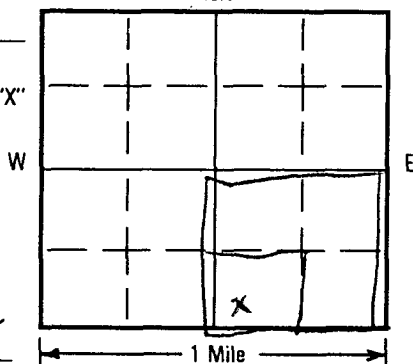
REV. #	DESCRIPTION	DATE
	EXHIBIT A: WELL LOCATION MAP TRACT 2, BORUP SUBDIVISION, SECTION 16, T6N, R4E, BHM LAWRENCE COUNTY, SOUTH DAKOTA	
		
SURVEY#	DATE	SURVEY#
DESIGN#	DATE	DESIGN#
JDSB 394		
SHEET 1 OF 1		

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW 1/4 SE 1/4 Sec 16 Twp 6 Rg 4
County Lawrence

Please mark well location with an "X"



Well Completion Date

6 9 06

LOCATION:

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

PROPOSED USE:

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

METHOD OF DRILLING:

RotaryCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>15.5 LB/FT</u>	<u>5 1/2 IN</u>	<u>Top</u>	<u>725 FT</u>	<u>6 3/4 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cement</u>	<u>60</u>	_____ lb./gal	<u>Top</u>	<u>725 ft</u>
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Bottom plugSCREEN: ☐ 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: Chlorine

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Black Hills Baptist Church

Business Name: _____

Address: 12205 Hwy 34
White Wood SD 57793

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top soil	0	20
gyp	20	30
Spears fish	30	560
lime stone	560	600
opec type	600	705
Minnia USA	705	730

STATIC WATER LEVEL 90 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:

☐ Pumped☐ Bailed☒ OtherDescribe: air test150 gpm at250 ft

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

NOV - 6 2006

This well was drilled under license # 197

WATER RIGHTS PROGRAM

And this report is true and accurate.

Drilling firm Heston DrillingSignature of License Representative: Dino Heston

Signature of Well Owner or Equitable Property Holder: _____

Date: Rich Dato6-24-06

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/30, 2007

RECEIVED OF BLACK HILLS BAPTIST CHURCH 12205 SD HWY 34 WHITEWOOD SD 57793

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

Fee for Application for Permit No. <u>1884-1</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. <u>1884-1</u> after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	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	100	00

No.

03019

By

Heather Erbe

Chief Engineer

[Signature]



MIDCONTINENT
TESTING LABORATORIES, INC.

2381 South Plaza Drive P.O. Box 3388 Rapid City, SD 57709
(605) 348-0111 -- www.thechemistrylab.com

Received: 07/11/06 at 08:15 AM
by Kate Shreves
Account: 8500
Valued Customer...

VALUED CUSTOMER
2381 S PLAZA DR
RAPID CITY, SD 57709

DRINKING WATER REPORT

EPA #	SAMPLE SITE	POINT OF COLLECTION	SAMPLE DATE & TIME	TOTAL COLIFORM SM 9223	FECAL COLIFORM SM 9223	NITRATE EPA 353.2	ANALYST	LAB NUMBER
	Counts, Richard _{1, 5}		07/10/06 11:10 AM	Absent	Absent	0.29 mg/L	DES 07/12/06	20060711802

Key to Notes:

- 1. Bacteriologically safe for drinking or washing uncooked foods at the time of sampling.
- 5. Nitrate content not of concern.

APPROVED BY:

Steve Distau

APPROVED DATE: 7/12/2006 3:30:48 PM

DATE PRINTED: 07/12/2006 03:30 PM



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 12, 2006

Black Hills Baptist Church
12205 Hwy 34
Whitewood SD 57793

Dear Sir:

I am writing in regard to a well driller's report filed by Heaton Drilling. The report shows a new well was completed for Black Hills Baptist Church on June 9, 2006. Based on the information in the report, you will 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 institutional uses that require water permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute or use water outside of the school building.
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 February 1, 2007.**

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



March 28, 2007

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Black Hills Baptist Church
James F Willson
12205 Hwy 34
Whitewood SD 57793

Dear Mr. Willson:

Thank you for submitting the *Application for a Permit to Appropriate Water* for your church. In order to complete the application the following is required.

- Please submit an application/license filing fee of \$100.00.

If you have any questions, please contact me.

Sincerely,

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



**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. 1884-1, Black Hills Baptist Church**

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. 1884-1, Black Hills Baptist Church, c/o James Willson, 12205 Hwy 34 Whitewood SD 57793.

The Chief Engineer is recommending APPROVAL of Application No. 1884-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualification:

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

See report on application for additional information.

Garland Erbele, Chief Engineer
June 4, 2007

WATER PERMIT APPLICATION NO. 1884-1
BLACK HILLS BAPTIST CHURCH
MAY 29, 2007

Water Permit Application No.1884-1 proposes to appropriate 0.026 cubic feet of water per second (cfs) [approximately 12 gallons per minute] from one well completed into the Minnelusa aquifer. The existing well is 730 feet deep and located in the SW¼ SE¼ Section 16, T6N-R4E, Lawrence County. The water is for institutional use.

AQUIFER: Minnelusa aquifer (MNLS)

GENERAL:

The Minnelusa Formation consists of alternating beds of sandstone and dolomitic limestone with lesser amounts of shale and chert, approximately 450 feet thick in this area (Carter and Redden, 1999a; Carter and Redden, 1999b). The main outcrop (recharge area) of the Minnelusa Formation is located approximately two and one-half miles south of this well. However, the Minnelusa also outcrops approximately two and one-half miles west of this well at Elkhorn Peak (Strobel and others, 1999). The completion report for this well which was included with this application identifies the top of the formation at 705 feet below grade. This well site is along a northwest-southeast trending fold known as the Whitewood anticline. The porous portions of the Minnelusa Formation form the Minnelusa aquifer. Well sorted sand lenses have porosity's approaching 25%, but generally the sands have porosity's of 10%. The average porosity of the Minnelusa is estimated to be 10% and the effective porosity is assumed to be 5% (Rahn, 1979). The Minnelusa Formation underlies virtually all of western South Dakota and the Minnelusa aquifer contains over 755 million acre-feet of recoverable water in storage (Allen and others, 1985). The Minnelusa aquifer underlies approximately 199,680 acres of Lawrence County and contains an estimated 5,591,040 acre-feet of recoverable water in storage in the county (Allen and others, 1985). Ground water movement in the aquifer in this area is probably toward the east-northeast (Strobel, and others, 2000). The water quality of the aquifer is generally good near the outcrop but deteriorates considerably with distance from the recharge area. Estimates from regional studies of the aquifer indicate the aquifer transmissivity may range from 0.86 to 12,000 ft²/d, and the storage coefficient ranges from 0.003 to 5.0 x10⁻⁹ (Driscoll, and others, 2002). The heterogeneity of the Minnelusa aquifer has been documented in the Spearfish area (Greene and others, 1999). The static water level of the well that is proposed to be used for this application was reported to be 90 feet below grade in June 2006.

WATER AVAILABILITY:

The availability of unappropriated water from an aquifer can be evaluated by considering SDCL 46-6-3.1. This statute requires that an application to appropriate groundwater can not be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of average estimated annual recharge.

Recharge to the Minnelusa aquifer is primarily from infiltration of precipitation on the outcrop and stream flow losses. Average annual recharge in the Black Hills area from 1931-1998 is estimated to be approximately 112,000 acre-feet per year (Carter and others, 2001a).

There are a total of 195 appropriations from the Minnelusa aquifer in South Dakota, including one Future Use Reservation (Future Use Permit No. 902-2, SD Cement Plant)(Water Rights, 2007b). The aquifer is used primarily for domestic, commercial, municipal, suburban housing and irrigation uses. There are 55 permits/rights appropriating water from the Minnelusa aquifer in Lawrence County (Water Rights, 2007b). Maximum well withdrawals from the Minnelusa aquifer, assuming (1) that permits/rights with an annual withdrawal limitation (ac-ft/yr.) will use the maximum allowable; and (2) permits/rights that are limited by a diversion rate only, will use 60% of the maximum allowable (considered reasonable for water distribution systems); would be approximately 25,000 acre-feet per year. Withdrawals from wells (domestic and appropriative) completed into the Minnelusa aquifer in the Black Hills area were estimated to be 8,140 acre-feet annually from 1987-1996 (Carter and others, 2001b).

Comparison of annual recharge estimates and estimated annual well withdrawals show that well withdrawals from the Minnelusa are only a fraction of estimated average annual recharge. Therefore, based on a simple water budget, it is clear that unappropriated water is available for this appropriation. A water budget is not intended to suggest that all of the water that is in storage in the Minnelusa aquifer or that all of the recharge is available for this appropriation, merely to demonstrate that in general the aquifer is an immense resource that is relatively untapped.

Observation Well Data:

The best information available to evaluate development as it relates to recharge, is historical records and data from observation wells. The difference between withdrawal from an aquifer and recharge is reflected by the water level of the aquifer. If the water level of an aquifer continues to decline, it may suggest that withdrawals exceed recharge. The Water Rights Program monitors 23 observation wells completed into the Minnelusa aquifer in the Black Hills area (Water Rights, 2007a). Water Rights' Observation Well LA-86C is located approximately four and one-quarter miles southeast of the well that is proposed to be used by this application. Water Rights' Observation Well LA-88A is located about four and one-half miles west of the well this application proposes to use. The hydrographs for the observation wells (figure 1 & 2), are fairly typical for the Minnelusa aquifer. That is, the water levels reach their peak in the early summer each year and gradually decline until spring. The majority of the recharge to the system occurs between March and July. The hydrographs also show the magnitude of fluctuation in the water levels in the area ($\cong 76'$ in LA-86C and $\cong 55'$ in LA-88A).

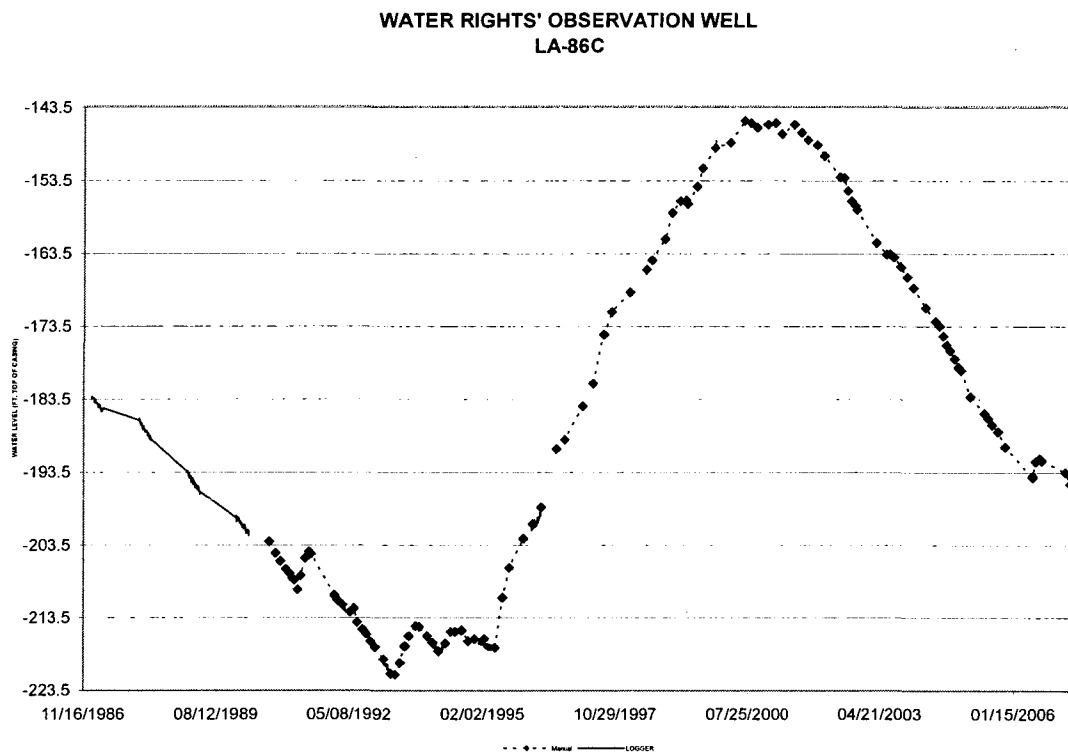


Figure 1. Hydrograph of Water Rights' Minnelusa aquifer Observation Well approximately four and one-quarter miles southeast of 1884-1

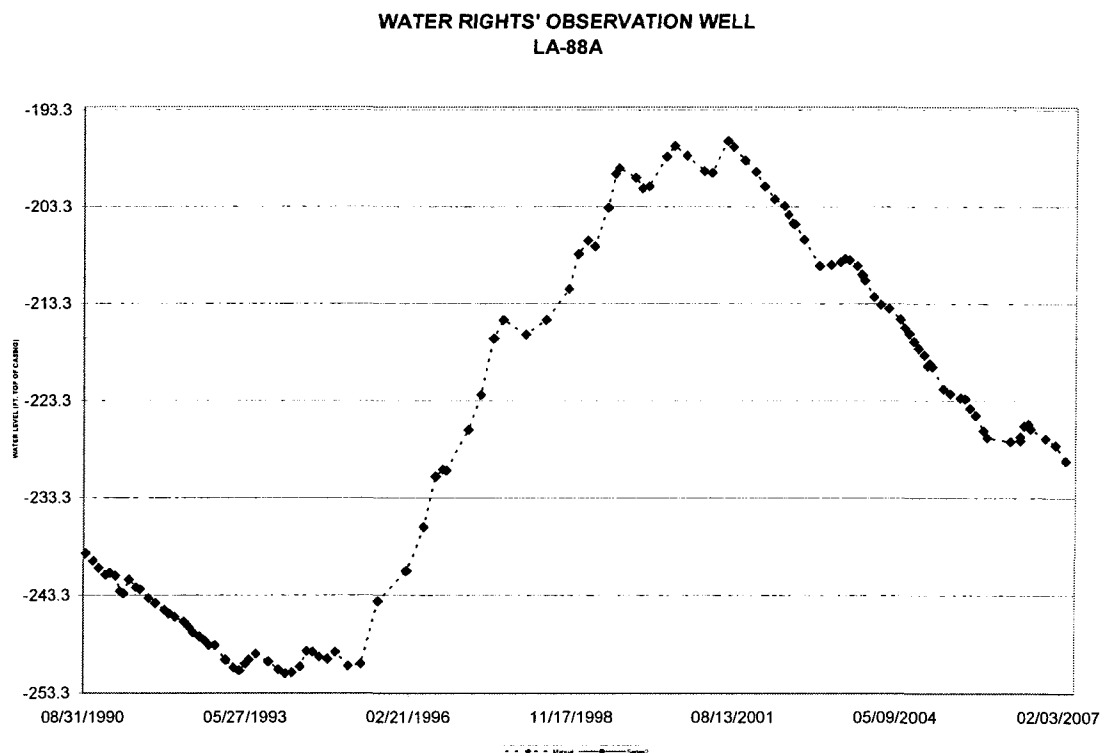


Figure 2. Hydrograph of Water Rights' Minnelusa aquifer Observation Well approximately four and one-half miles west of 1884-1

It is obvious from the hydrographs of Minnelusa observation wells, that withdrawals have not exceeded recharge for the period of record. The observation well data suggests that the aquifer is capable of sustaining additional withdrawals.

AFFECTS ON EXISTING RIGHTS:

There are twelve Water Rights/Permits appropriating groundwater within four miles of the well that is to be used for this appropriation, they are shown in table 1 (Water Rights, 2007b). Wells not supplied by the Minnelusa aquifer will not be impacted by this proposed appropriation since the Minnelusa is hydrologically isolated from the shallower and deeper aquifer.

PERMIT NO	NAME	STATUS	AQUIFER	USE	CFS
1130-1	E SLOPE ESTATES	LC	MNLS	SHD	0.09
1138-1	WATER ASS D & E WATER	LC	MNLS	SHD	0.04
1144-1	COMPANY HUBBARD MILLING	LC	MNLS	IND	0.13
1371-1	COMPANY VIC WEYRICH	LC	MNLS	SHD	0.07
1628-1	CHAMPION	LC	ALQ	GWR	0.07
588-1	INTERNATIONAL CO TOWN OF	LC	MNLS	MUN	0.44
1707E-1	WHITEWOOD FRAWLEY RANCHES,	PE	MDSN	SHD/COM/IRR	3.705*
1610-1	INC CITY OF WHITEWOOD	PE	MDSN	MUN	1.11
1756-1	FRAWLEY RANCHES,	PE	ALQ	COM	0.06
1867-1	INC FRAWLEY RANCHES	PE	MNLS	SHD	0.06
1868-1	INC FRAWLEY RANCHES	PE	INKR	SHD	0.04
1878-1	INC. CITY OF WHITEWOOD	PE	MDSN	MUN	0.78

*Water Permit No. 1707E-1 is actually an extension of time to construct for 1707A-1

Table 1. Groundwater appropriations within four miles of the well to be used for Water Permit No. 1884-1

Water Right Numbers 1130-1, 1371-1 and 588-1 are all supplied by wells completed into the Minnelusa aquifer located between one-half and three-fourths of a mile from the well that is proposed to be used for this application.

In addition to the wells supplying Water Permits/Rights, there are a number of domestic wells completed into the Minnelusa aquifer on file with the Water Rights Program in this area (Water Rights, 2007c).

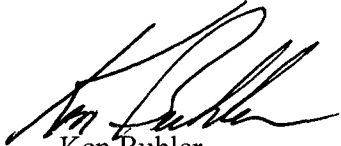
Although the impact of approving this application cannot be quantified precisely, it is still possible to address whether this appropriation can be made without adversely affecting water rights, including domestic wells. Water Management Board rules 74:02:04 and 74:02:05, which were promulgated pursuant to SDCL 46-6-6.1, provide protection to prior

appropriators only to the degree necessary to maintain an adequate depth of water in wells that have the ability to produce water independent of artesian pressure. Simply put, the pump placement, or artesian flow, in a prior appropriator's well is not necessarily protected. In fact, in past action, the Water Management Board has concluded that if increased cost or decreased production is considered an adverse impact, it could be in conflict with SDCL 46-1-4, which requires South Dakota's water resources to be put to beneficial use to the fullest extent of which they are capable.

Since the Minnelusa is under artesian conditions in this area and pumping may cause a decline in the potentiometric surface over a fairly widespread area. Any interference this proposed use would have on these or other water rights/permits is not expected to be adverse due to the relatively low diversion rate requested by this application and the distance between wells. In addition, considering the Board's past actions, any well interference this proposed use would have on area water rights/permits and domestic wells is not expected to be significant or adverse. It may be necessary to lower pumps in some wells to maintain water use at the present level.

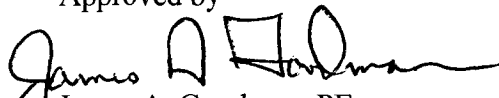
CONCLUSIONS:

1. The Minnelusa aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. The Minnelusa aquifer is under artesian conditions and drawdown due to this diversion can be expected. This drawdown is not expected to adversely affect adequate wells in the area.



Ken Buhler
Natural Resources Engineer

Approved by



James A. Goodman, PE
Natural Resources Engineer

REFERENCES:

- Allen, J.C., Iles, D.L., and Petres, A.K., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, Task 3A. B.C. and 4A. B.: Groundwater Resource Inventory: South Dakota Department of Water and Natural Resources,
- Carter, J.M., and Redden J.A., 1999a, Altitude of the Top of the Minnelusa Formation in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-744-C, 2 sheets, scale 1:100,000
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- Driscoll, D.G., Carter, J.M., Williamson, J.E., and Putnam, L.D., 2002, Hydrology of the Black Hills Area, South Dakota: U.S. Geological Survey Water Resources Investigations Report 02-4094, 150 p.
- Greene, E.A., Shapiro, A.M. and Carter, J.M., 1999, Hydrogeologic Characterization of the Minnelusa and Madison Aquifers near Spearfish, South Dakota: U.S. Geological Survey Water Resources Investigations Report 98-4156, 64 p.
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, US Army Corps of Engineers, Draft Report-Final
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Strobel, M.L., Galloway, J.M., Hamade, and G.R., Jarrell, G.J., 2000, Potentiometric Surface of the Minnelusa Aquifer in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-745-C, 2 sheets, scale 1:100,000

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

Water Rights Program, 2006b, Water Permit/Right Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights Program, 2006c, Well Completion Report Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

RECEIVED

JUN 26 2007

WATER RIGHTS
PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LAWRENCE

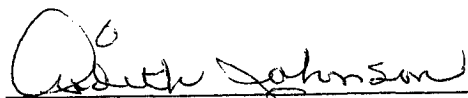
Stewart Huntington of said County and State being first duly sworn, on his oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Stewart Huntington, and has been such a newspaper during the 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. 1884-1

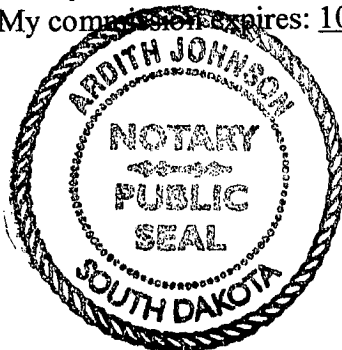
a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive and consecutive weeks, the first publication being made on the 14th day of June, 2007, and the last publication on the 21st day of June, 2007, that the full amount of fees charged for publishing same, to-wit: The sum of \$ 36.32 insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.



Subscribed and sworn to before me this 21st day of June, 2007



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



NOTICE OF APPLICATION NO. 1884-1 to Appropriate Water

Notice is given that Black Hills Baptist Church, 12205 Hwy 34, Whitewood SD 57793 has filed an application for a water permit to appropriate 0.026 cubic feet of water per second from one well completed into the Minnelusa Aquifer (730 feet deep) located in the SW 1/4 SE 1/4 Section 16-T6N-R4E for institutional use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1884-1 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 July 2, 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.

#358

June 14, 21



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 6, 2007

Black Hills Pioneer
PO Box 7
Spearfish SD 57783

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 1884-1 to Appropriate Water to be published twice. Please publish the first notice on June 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 Black Hills Baptist Church, 12205 SD Hwy 34, Whitewood SD 57793 (Ph # 605-269-2646).

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. 1884-1

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

Date _____

We are in receipt of your letter of June 6, 2007 enclosing Notice to Appropriate Water by Application No. 1884-1 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.

June 6, 2007

James Willson
Black Hills Baptist Church
12205 Hwy 34
Whitewood SD 57793

Dear Mr. Willson:

Water Permit Application No. 1884-1 for institutional 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 report on the application is 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 03 2007

Black Hills Baptist Church
12205 Hwy 34
Whitewood SD 57793

Dear Mr. Willson:

Enclosed is Water Permit No. 1884-1 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

Permit No. 1884-1
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, **05 November 2007**, made a thorough examination of the water use system constructed by **Black Hills Baptist Church** of **12205 Hwy 34, Whitewood, SD. 57793** holder of Permit No. **1884-1**, bearing the priority of **28 March 2007** authorizing the diversion of **0.026** cu. ft. per second of the waters of **the Minnelusa Aquifer** for **institutional** purposes, in **Lawrence** County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Heaton**
- 2) No. of Wells **1**
- 3) Depth(s) **730** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **5.5** inches
- 2) Length **725** feet
- 3) Type **steel**

Screen:

- 1) Type **none**
- 2) Static water level **90** feet

Pump:

- 1) Make **Sta-Rite**
- 2) Model **Signature 2000**
- 3) Capacity **12** GPM

Motor:

- 1) Make **Franklin**
- 2) Model No. **2823008110**
- 3) Horsepower rating **1.5** hp

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

- 1) Type PVC 2) Size 2 inches 3) Length 150 feet

C. Compliance with Permit Requirements:

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

The system is in good condition with the point of diversion located as follows: SW ¼ SE ¼ Sec 16-T6N-R4E approximately 2037 feet west and 280 feet north of the southeast corner of section 16, N 44.474819 Latitude and W -103.63727 Longitude. The works are capable of diverting and conveying to the place of use 0.026 cu. ft. per second of water which is to be used for institutional use.

The license should be issued for 0.026 cfs.

All structures, wells and lands on map Y

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



Mark Costello
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 19 November 2007



South Dakota

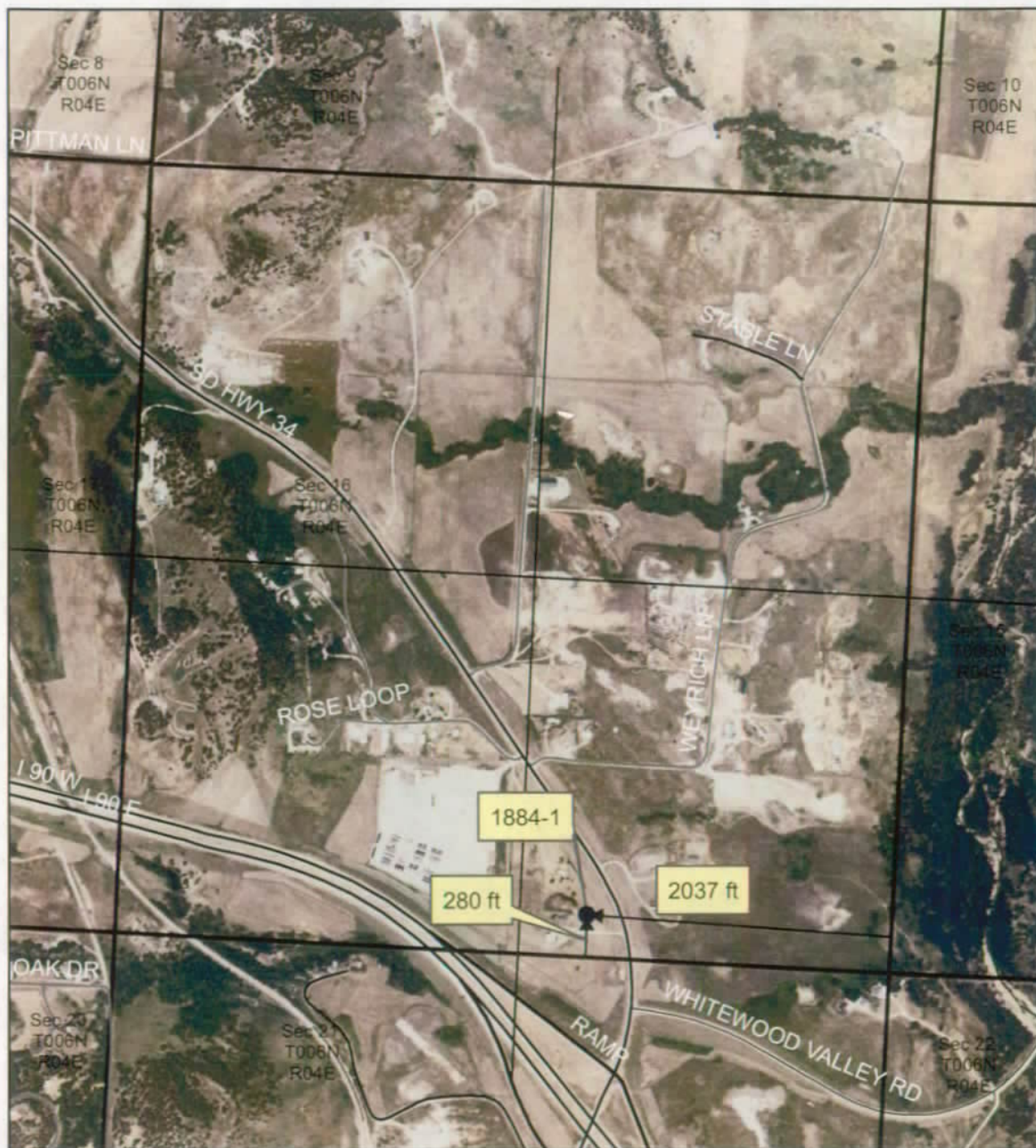
1884-1

Black Hills Baptist Church
12205 Hwy 34
Piedmont, SD. 57793

South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today



Mark Costello

Mark Costello
Natural Resources Engineer
DENR, Water Rights
19 November 2007

0 500 1,000 2,000
Feet



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1884-1

(1) Black Hills Baptist Church, 12205 Hwy 34, Whitewood SD 57793 made Application No. 1884-1, March 28, 2007 for a water permit to divert 0.026 cubic feet of water per second from groundwater (one well), Lawrence County, South Dakota for institutional purposes. Permit No. 1884-1, with a priority date of March 28, 2007 was approved July 2, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 2, 2012 and for the application to beneficial use of water on or before July 2, 2016.

(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. 1884-1 is issued a license, bearing a priority date of March 28, 2007 to appropriate 0.026 cubic feet of water per second from groundwater (one well) for institutional purposes.

The diversion point is located: approximately 2,037 feet west and 280 feet north of the southeast corner of Section 16-T6N-R4E (SW ¼ SE ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1884-1 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.

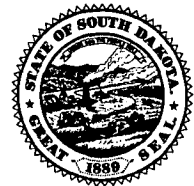
Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

FEB 12 2008

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

FEB 12 2008

1884-1

Black Hills Baptist Church
12205 Hwy 34
Whitewood SD 57793

Dear Sir:

Enclosed is Water License No. 1884-1. 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.

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. 1884-1, 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 Erbe, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures