

WATER PERMIT NO. 1903-1

Name of Applicant: **Castle Rock Group**

Address: **12977 Rock Butte Ln, Newell SD 57717**

Phone: **605 866-4439**

Amount of Water Claimed: **0.11 cfs**

Total Acres: **NA**

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

Water to be used for: **livestock watering**

County: **Butte**

Type of Waste Disposal System: **NA**

Location: **20 miles north of Newell**

PRIORITY

Date Received: **5-19-09**

Application/License Fee: **\$200**

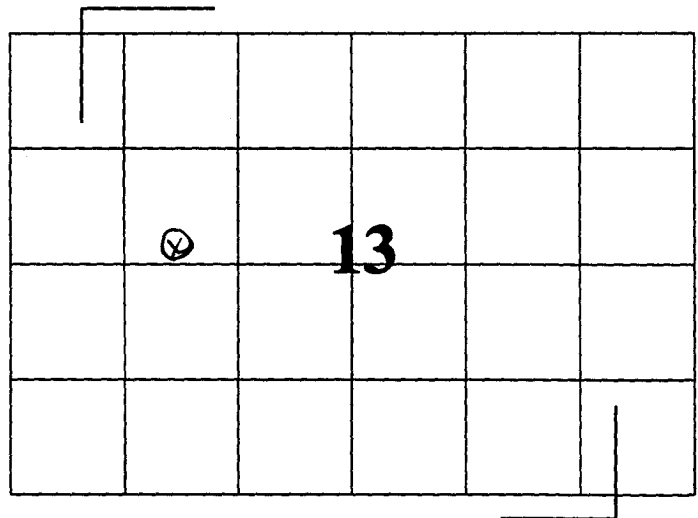
Corrected Application Received:

Period of Annual Use: **January 1 – December 31**

Remarks:

Diversion Point: **SW ¼ NW ¼ Sec 13-T12N-R5E**

Land to be Irrigated: **NA**



Depth of Well: **3889 feet deep**

Well Driller: **Weston Engineering Inc.**

Remarks:

Type of Map: **aerial**

Prepared by: **Gary Hendrickson, NRCS**

Reviewed and the Number Assigned on: **5-29-09**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

Form 2: Application for uses other than irrigation

(For print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1903-1</u> (office use only) Hydrologic Unit <u>10130.304</u>
	Basin <u>Moreau River</u>
	Newspaper <u>Butte Co. Post 614 State St</u>
	<u>605-892-2528</u> <u>Belle Fourche 57717</u>

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MAY 19 2009
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. _____

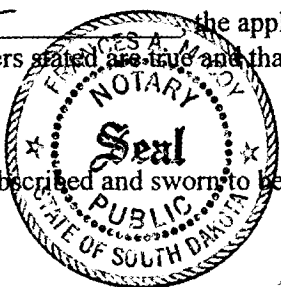
Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- Name of Applicant Castle Rock Group Phone Ken Carlson - 866-4648
(check one) ☒ Owner ☐ Tenant/lessee Neil Smeenk - 866-4604 Gary Watt - 866-4439
Mailing Address 12977 Rock Butte Ln, Newell, SD State SD 57769
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.11 *CFS or 50 **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 Artesian Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) SE 1/4, NE 1/4, S18-T10N-R9E (1 well)
SW 1/4 NW 1/4 Sec 13 T12N R5E County Butte
- County or counties where water will be used Butte
- Annual period during which water is to be used year round 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)
Well will be used by Castle Rock Group for livestock & domestic. Approx 50 gpm capability (pump)

STATE OF SOUTH DAKOTA)
County of Butte 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, Larry Wendt 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 Castle Rock Group by Larry Wendt gp

Subscribed and sworn to before me this 13th day of November 20 08

Frances A. McCoy
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 1903-1**

Date of first receipt of application May 19, 2009.

Date of return to applicant for corrections, amendments or changes May 20, 2009.

Date of receipt of corrected application May 29, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1903-1 to Castle Rock Group, c/o Gary Wendt, 12977 Rock Butte Lane, Newell SD 57760 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. 1903-1 appropriates 0.11 cubic feet of water per second from one well to be completed into the Inyan Kara Aquifer (3,889 feet deep) located in SW 1/4 NW 1/4 Section 13-T12N-R5E.
2. The water appropriated shall be used for the purpose of livestock watering and domestic use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 1903-1 is August 10, 2009.
5. The date from which applicant may claim right is May 19, 2009.
6. One-fifth of the construction is to be completed on or before February 10, 2011.
7. All construction is to be completed on or before August 10, 2014.
8. Water is to be put to beneficial use on or before August 10, 2018.
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. Castle Rock Group shall report to the Chief Engineer annually the amount of water withdrawn from this well completed in the Inyan Kara Aquifer.

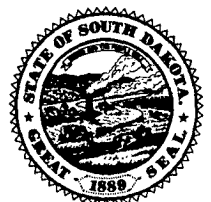
WATER MANAGEMENT BOARD

By: Garland Erbele

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

AUG 14 2009

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 5.5"
7" Depth 1412-3889'
0-1412'
- b) Casing Type Steel Diameter 0-1412-7"
1412-3889-5.5" Thickness 23 lb/ft
15.5 lb/ft
- c) Screen Type perforated pipe Diameter 5.5" Opening Thickness 0.125" x 3
- d) Gravel Pack N/A Length of Gravel Pack N/A
- e) Depth to Top of Water Bearing Material 3779
- f) Depth to Water (ground surface to water level) 613
- g) Distance to nearest existing domestic well:

On applicants property 2000' to Gary Woot Well 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 _____

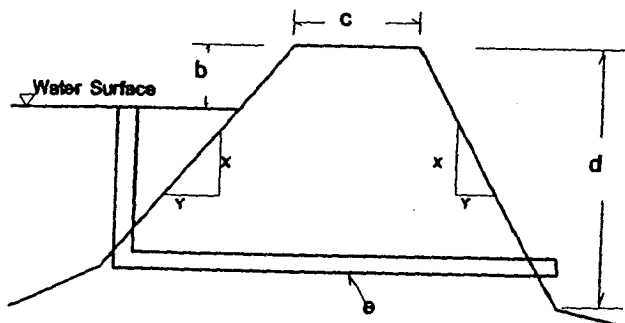
3. Dugout Information

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

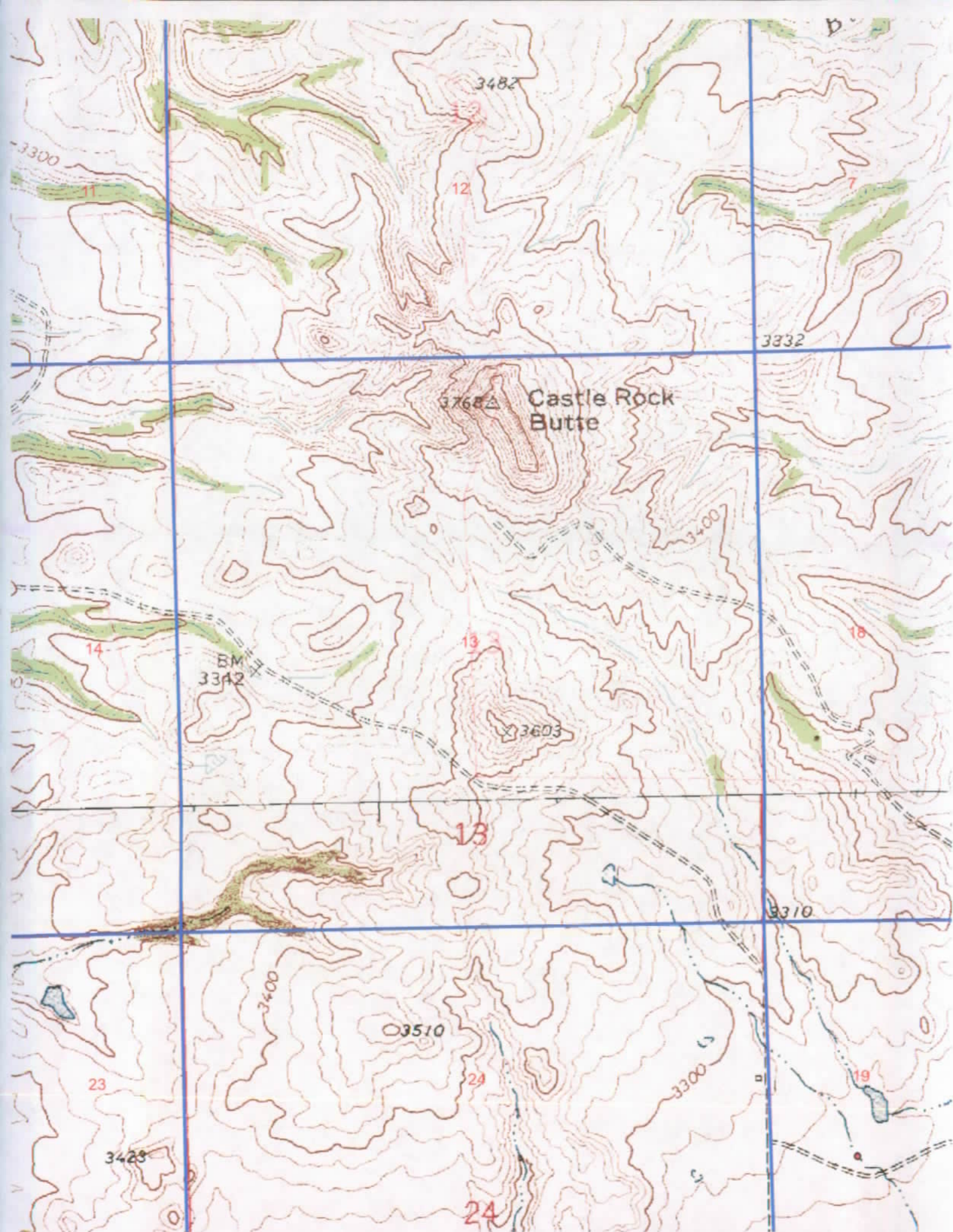
4. Water Storage Dams

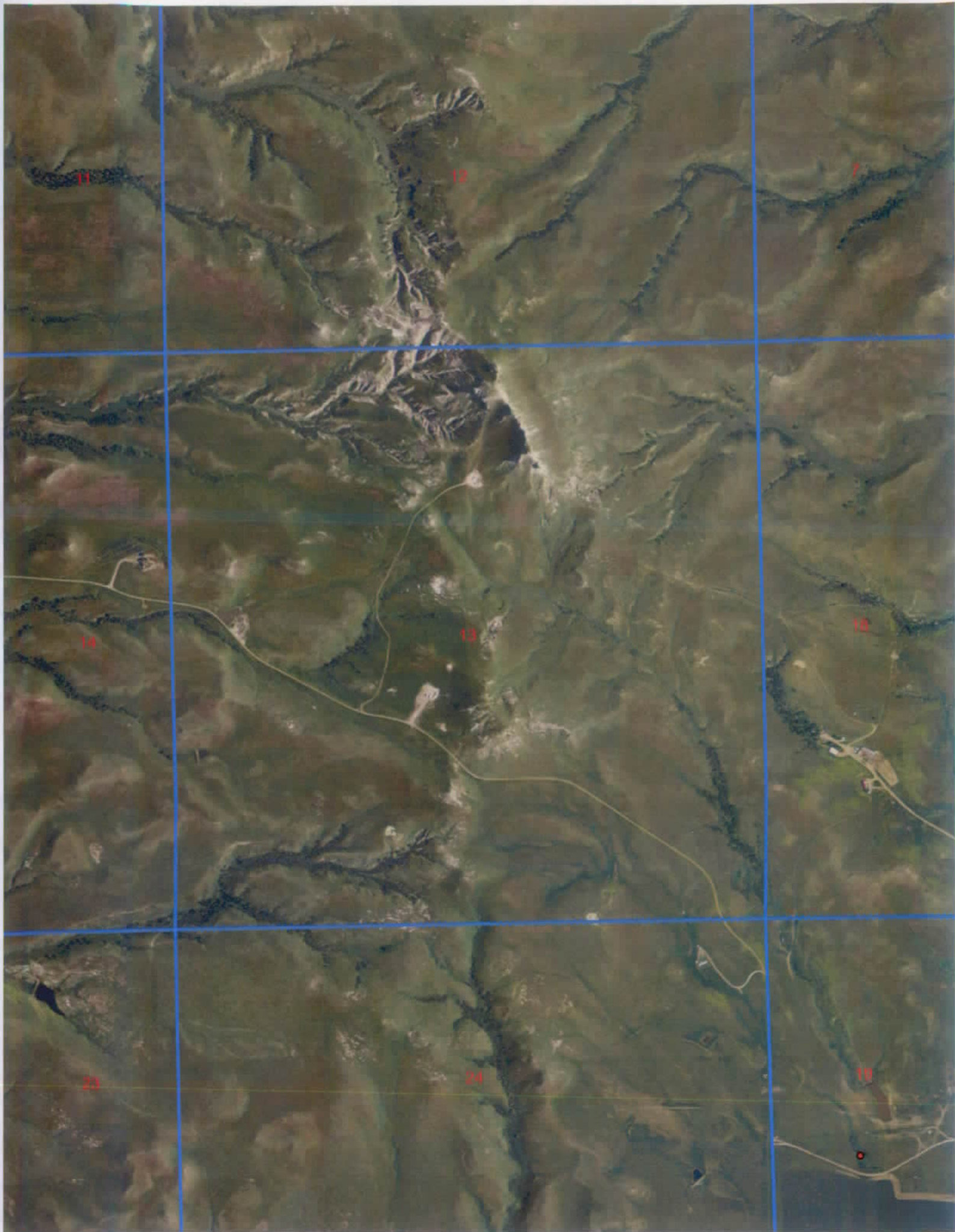
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- 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





SD-ENG-51
07/04

MAY 19 2009

WELL (642)
(Record of Installation)

WATER RIGHTS PROGRAM

Well Owner Castle Rock Group

Section Map (mark with X)

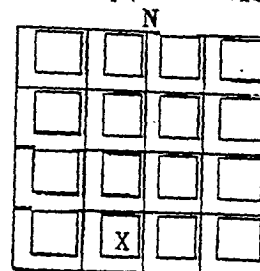
Address
12977 Rock Butte Ln. Newell, SD 57760

County Butte County

Program _____

GPS _____

Farm ID No. _____ Notes _____



Sec 12 T 10N R 9E

Planning

Planned by: _____ Date planned: _____

Miles to other watering facilities: _____ Acres served by well: _____

Driller's Completion Report
(attach driller's log)

Type of well: Drilled ☒ Dug ☐ Driven ☐ Depth of well, feet: 3,927'

Depth of producing aquifer, feet: 3779' Thickness of producing aquifer, feet: 121'

Artesian pressure at surface, feet: 613' Artesian flow, gallons per minute: _____

Casing: Type	steel	Size, inches	5 1/2 7"	Length, feet	2,366' 1,412
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Depths casing cemented: 0 to 40 0 to 3,779

Screen/Perforated casing: Type steel
slots Diameter, inch 5½" Opening size, inch 0.125x3"

Screen/Perforated casing depth location: 3,779 to 3,899 ^{slots}

Gravel pack: Thickness, inches N/A Length, feet

Well yield, gallons per minute 55 Pumping lift, feet 750

Pump: Type Submersible Grundfos 405200-5805 Size 20hp w/25hp motor

Notes:



ENERGY LABORATORIES, INC. * 400 W Boxelder Rd * Gillette, WY 82718-5315
Toll Free 866.686.7175 * 307.686.7175 * FAX 307.682.4625 * gillette@energylab.com

LABORATORY ANALYTICAL REPORT

Client: Weston Engineering
Project: Castle Rock
Client Sample ID: Castle Rock
Location:
Samp FRQ/Type:
Lab ID: G08050249-001

Report Date: 05/15/08
Collection Date: 05/07/08 10:00
Date Received: 05/07/08
Matrix: Drinking Water
Sampled By: Jerry Hunt

Analyses	Result	Units	Qualifier	RL	MCL/ QCL	Method	Analysis Date / By
MAJOR IONS, DISSOLVED							
Sulfate	168	mg/L		1		E300.0	05/09/08 06:31 / mli
Calcium	5	mg/L		1		E200.7	05/15/08 00:15 / eli-b
Magnesium	1	mg/L		1		E200.7	05/15/08 00:15 / eli-b
Sodium	175	mg/L		1		E200.7	05/15/08 00:15 / eli-b
INORGANIC COMPOUNDS, SDWA							
Iron	6.42	mg/L		0.03		E200.7	05/15/08 00:15 / eli-b
Manganese	0.06	mg/L		0.01		E200.7	05/15/08 00:15 / eli-b
Nitrogen, Nitrate+Nitrite as N	ND	mg/L		0.05	10	E353.2	05/13/08 13:27 / eli-b
NON-METALS							
Conductivity @ 25 C	788	umhos/cm		1		A2510 B	05/07/08 16:52 / mav
Hardness as CaCO3	17	mg/L		10		A2340 B	05/15/08 13:02 / tlc
pH	8.04	s.u.		0.01		A4500-H B	05/07/08 16:54 / mav
Solids, Total Dissolved TDS @ 180 C	530	mg/L		10		A2540 C	05/12/08 09:42 / smr

Michelle Bucholz

Michelle Bucholz
Project Manager

Report RL - Analyte reporting limit.
Definitions: QCL - Quality control limit.

MCL - Maximum contaminant level.
ND - Not detected at the reporting limit.



ENERGY LABORATORIES, INC. * 400 W Boxelder Rd * Gillette, WY 82718-5315
Toll Free 866.686.7175 * 307.686.7175 * FAX 307.682.4625 * gillette@energylab.com

LABORATORY ANALYTICAL REPORT

Client: Weston Engineering
Project: Castle Rock
Client Sample ID: Castle Rock
Lab ID: G08050249-001D

Report Date: 05/15/08
Collection Date: 05/07/08 10:00
Received Date: 05/07/08 16:39
Matrix: Drinking Water
Sampled By: Jerry Hunt

Analyses	Result	Units	Safe/Unsafe	Qualifier	Method	Analysis Date / By
BACTERIA						
Bacteria, Total Coliform	Absent	P/A	SAFE		A9223 B	05/07/08 17:03 / ml
Bacteria, E-Coli Coliform	Absent	P/A			A9223 B	05/07/08 17:03 / ml

Michelle Bucholz

Michelle Bucholz
Project Manager

Comments: The notation "SAFE" indicates that the water was bacteriologically SAFE when sampled.
The notation "UNSAFE" indicates that the water was bacteriologically UNSAFE when sampled.

Method Reference: E - EPA / MCAWW Methodology A - Standard Methods 19th Ed.

**LITHOLOGIC LOG FOR CASTLE ROCK GROUP
CASTLE ROCK #1
BUTTE COUNTY, SOUTH DAKOTA
SW SE SEC 12, T10N, R9E
SMEENK RANCH**

DEPTH	GENERAL LITHOLOGY	SAMPLE DESCRIPTION	COMMENTS
TOP SOIL			
0- 48	Sand and Clay	Light brown to gray sandy clay	(wash from Fox Hills)
PIERRE FORMATION			
48-555	Shale	multi-colored silty calcareous clay - chips of pale And grayish yellow green silty clay	
555- 1524	Shale	hard, platy olive black shale interbedded with siltstone	
1524- 1782	Siltstone	olive black siltstone containing abundant sand and Clayey (Marl) interlayers	
1782-1970	Shale	Olive black shale, occasionally iron stained with interbedded Olive black marl, yellowish gray non-calcareous shale and calcareous siltstone	
TOP OF NIOBRARA FORMATION			
1970-2132	Chalk and shale	Calcareous light gray shale with white bentonite and chalk	
TOP OF CARLILE FORMATION			
2132- 2280	Shale	Dusky blue, fissile, non calcareous shale, pale-dark yellowish brown noncalcareous shale with streaks of v.f. sand	
2280- 2525	Shale	Grayish black non-calcareous shale and limestone interbedded with gray marl and olive gray sandstone	
TOP OF GREENHORN LIMESTONE			
2525- 2650	Limestone	Dark gray with rounded white calcareous grains, light gray sandy limestone with fine yellowish gray lime mudstone	
TOP OF BELLE FOURCHE SHALE			
2650- 2920	Shale	Brownish black, slightly fissile shale; abundant bentonite and minor yellowish brown calcareous shale	
TOP OF MOWRY			
2920- 3165	Shale	Brownish black, fossiliferous shale, pyrite and oxidized iron stains; Interbedded with white arkosic/calcareous sandstone, calcite veining and yellowish brown micaceous shale	
TOP OF MUDDY FORMATION			
3165- 3300	Interbedded shale and sandstone	Brown - black shale containing dolomite concretions, pyrite, calcite veining. Finely laminated black and light olive gray shale with bentonite and calcite cemented v.f. sandstone, clean sandstone 3292-3300	
TOP SKULL CREEK SHALE			

3300- 3560	Shale	Black shale containing dolomite concretions, pyrite; Olive black shale with iron staining in lower shales
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TOP OF DAKOTA SANDSTONE

3560-3640	Interbedded Shale and Sandstone	Fine grained, calcite cemented, light gray sandstone, with non-calcareous dark gray shale and iron staining in lower olive black shale. Small amount of pyrite. Mostly shale.
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TOP OF FUSON SHALE

3640- 3700	Shale	Dark gray shale with minor amounts of yellowish brown siltstone, pyrite, and light gray sandstone, intermingled reddish and yellowish sandstone
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TOP OF LAKOTA SANDSTONE

3700-3790	Shale interbedded sand	Dark gray calcareous-non-calcareous shale intermingled with white clay light gray fine grained sandstone, intermingled with white clay with black streaks Silica cemented sand friable, larger grain sandstone 3700-3706
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3790- 3900	Sandstone	Light olive gray v.f. to med. grained sub-angular to sub-rounded quartz sandstone
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TOP OF MORRISON FORMATION

3900-3923	Shale	Dark gray-green shale, white bentonite clay, light gray v.f. grained sandstone
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Well Lat N45.004407 Long W103.463307
Storage Tanks Lat N45.008395 Long W103.454992

Castle Rock Group

Well legal description: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13 – Township 12N – Range 5E

Well coordinates: Lat. N 45.004407 Long. W 103.463307

Storage Tanks legal descript: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13 – Township 12N – Range 5E

Storage Tanks coordinates: Lat. N 45.008395 Long. W 103.454992

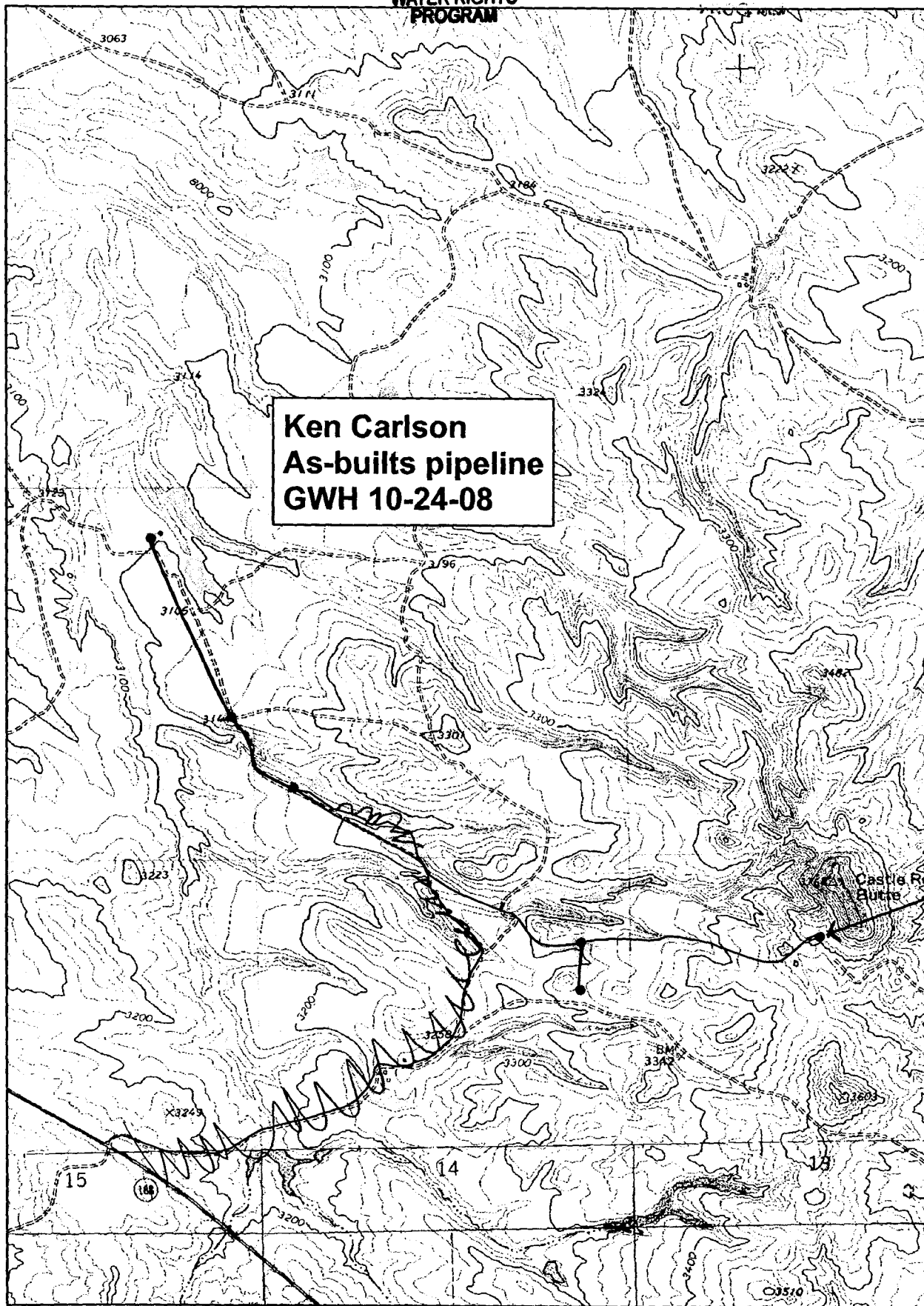
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MAY 19 2009



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WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/20, 2009

RECEIVED OF Kenneth Carlsen HC 56 Box 55 Newell SD 57760

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

Fee for Application for Permit No. <u>1903-1</u> to Appropriate Water, to construct and to put water to beneficial use.	66	66
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	66 66

No. 04136

By

Garland Eshel
Chief Engineer

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/20, 20 09

RECEIVED OF Neil W Smaenk 12822 Civil Defense Tower Rd Newell SD 57760

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

Fee for Application for Permit No. <u>1903-1</u> to Appropriate Water, to construct and to put water to beneficial use	66	60
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	66 60

No. 04135

By Michael Erbe
Chief Engineer

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/29, 20 09

RECEIVED OF Castlerock Group G Wendt 12977 Rock Butte Ln Newell SD 57717

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

Fee for Application for Permit No. <u>1</u> to Appropriate Water, to construct and to put water to beneficial use	07	
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>1903-1</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	07

No. **04145**

By

Harold Abele
Chief Engineer

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/20, 20 09

RECEIVED OF Wendt Ranch 12977 Rock Butte Ln Newell SD 57760

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

Fee for Application for Permit No. <u>1903-1</u> to Appropriate Water, to construct and to put water to beneficial use	16	74
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>1903-1</u>	49	93
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	66 67

No. 04134

By [Signature]
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 14, 2008

Castle Rock Group
c/o Gary Wendt
12977 Rock Butte Ln
Newell SD 57760

Dear Mr. Wendt:

A well driller's report filed by Weston Engineering, Inc. shows they completed a well located in SW ¼ Section 12-T10N-R9E. The report indicates the well produced 200 gallons per minute (gpm) with an installed pump rate of 55 gpm. I am writing to ensure that you are aware of the water right permit requirements in South Dakota.

State law requires that a water right permit be obtained if the amount of water for all uses from the well at the site exceeds 25,920 gallons per day or if the maximum pump rate is greater than 25 gallons per minute. I want to emphasize that these criteria are not based on gallons per day or pump rate averaged over a week, month or year. The standards in determining whether a permit is required is the amount of water used on a peak day and the peak pump rate.

It appears that this water use exceeds the criteria set forth above. Enclosed are water right permit application forms. If you have questions about the permitting requirements, the permitting process or do not believe a permit is needed for the intended use, please contact Eric Gronlund or me.

Sincerely,

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

enclosures



May 20, 2009

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MAY 29 2009

WATER RIGHTS
PROGRAM

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Castle Rock Group
c/o Gary Wendt
12977 Rock Butte Lane
Newell SD 57717

Dear Mr. Wendt:

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

- The application states the well is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13-T10N-R9E. We contacted Gary Hendrickson with NRSC. Mr. Hendrickson has submitted another map which clarifies the well location as the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13-T12N-R5E. Do you agree with the well location Mr. Hendrickson has marked? If so, I will make the necessary correction to the application.
- Also, we have received the three checks amounting to \$199.93. The application/license filing fee is \$200.00. Please submit the additional fee of \$0.07.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosure

This looks like the correct location

*Thank you
Gary Wendt*



**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. 1903-1, Castle Rock Group**

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. 1903-1, Castle Rock Group, c/o Gary Wendt, 12477 Rock Butte Lane, Newell SD 57717.

The Chief Engineer is recommending APPROVAL of Application No. 1903-1 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. Castle Rock Group shall report to the Chief Engineer annually the amount of water withdrawn from this well completed in the Inyan Kara Aquifer.

See report on application for additional information.

Garland Erbele, Chief Engineer
July 10, 2009

NOTE: Loup Land Development will likely need to treat the water to meet SD Drinking Water Standards. I encourage you to contact the Paul Oien or Mark Mayer with the Drinking Water Program at (605) 773-3754 to discuss these regulations.

WATER PERMIT APPLICATION NO. 1903-1
CASTLE ROCK GROUP
JUNE 17, 2009

Water Permit Application No. 1903-1 proposes to appropriate 0.11 cubic feet of water per second from one well completed into the Inyan Kara aquifer (3,889 feet deep) located in the SW¼ NW¼ Sec. 13, T12N-R5E, Butte County. The water will be used for livestock watering and domestic use.

AQUIFER: Inyan Kara (INKR)

GENERAL:

The Inyan Kara aquifer is composed of several sandstone units of the Fall River and the underlying Lakota Formations. In a geologic sense, the Fall River and Lakota are separate and distinct formations. The upper Lakota often contains the Fuson shale unit that may hydraulically separate the two formations locally. However, for all practical purposes, the Fall River Formation and the Lakota Formation can be considered a single hydrologic unit in this area. The Inyan Kara, which was deposited in shallow waters along the eastern shore of the Skull Creek Sea during the Lower Cretaceous age (Merewether, 1975), occurs at a regional scale, extending into Wyoming, North Dakota and Nebraska as well as a major portion of South Dakota, see figure 1. Although the Inyan Kara is areally extensive, only a portion of the water it contains is fresh. More than one-half of the water in the Inyan Kara is moderately saline, and the water is saline to brine in parts (Driscoll and others, 2002)

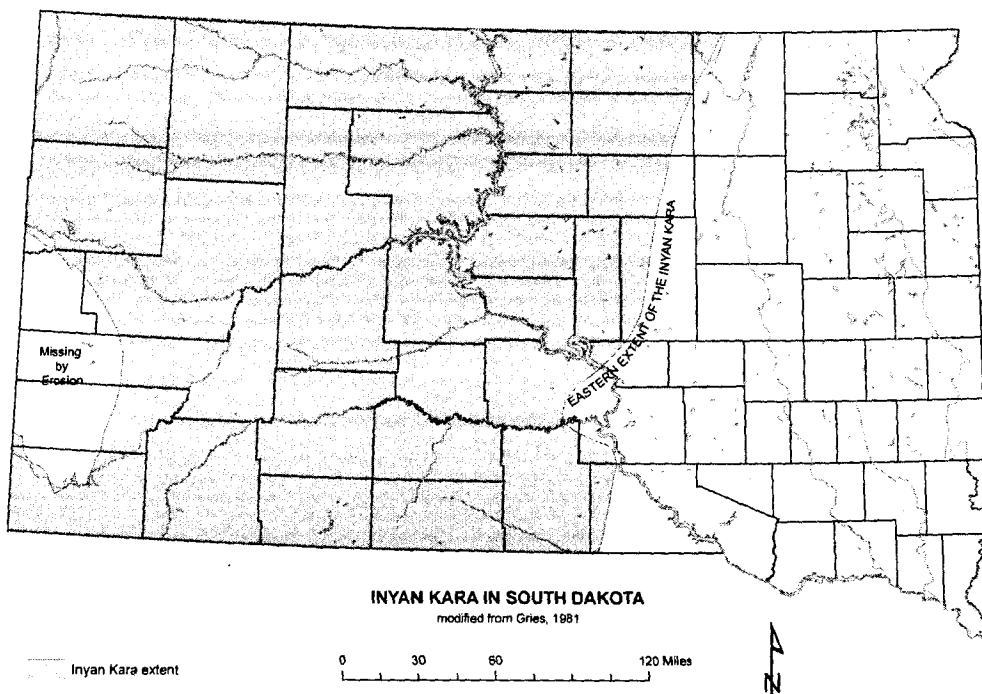


Figure 1. Areal extent of the Inyan Kara aquifer in South Dakota

The Inyan Kara underlies 23,239,040 acres and contains an estimated 308,442,000 acre-feet of recoverable water in storage in western South Dakota (Allen and others 1985). The aquifer contains an estimated 65,483,800 acre-feet of recoverable water in storage in eastern South Dakota (Hedges and others, 1982). The top of the Inyan Kara (incorrectly identified as "TOP OF DAKOTA SANDSTONE" is reported to be 3,560 feet below grade on the lithologic log supplied for this well. The lithologic log identifies the bottom of the Inyan Kara at 3,900 feet below grade. Since the Inyan Kara Group contains shaley zones, not all of the 340 feet of the Inyan Kara is aquifer material. The Inyan Kara is under confined conditions in this area and the static water level of this well is reported to be 613 feet below grade.

The transmissivity of the Inyan Kara ranges from 0.86-6,000 ft²/d (Driscoll and others, 2002). Recent work done for West River/Lyman Jones RWS near Quinn, SD and near Creighton, SD indicate transmissivity values of 561 ft²/d and 588 ft²/d respectively (Water Rights, 2005). The Transmissivity at the City of Wall is reported to be 578 ft²/d (Gries and others, 1976). The well that is to be used to supply this appropriation is reportedly capable of producing 200 gallons per minute when developed with air.

The South Dakota Water Well Completion Report submitted for this existing well indicates the well was constructed in accordance with the SD Well Construction Standards. The analysis of water from this well that was provided with this application reports the water quality is fairly good.

WATER AVAILABILITY:

The availability of water for this proposed appropriation can be evaluated by considering SDCL 46-6-3.1 which requires that:

"No application to appropriate groundwater may 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 the average estimated annual recharge of water to the groundwater source. An application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems."

It must be noted that the exception identified by this statute applies to this permit application since the Inyan Kara aquifer is stratigraphically lower than the Greenhorn Formation and the proposed use is to supply a water distribution system. However, a comparison of recharge with withdrawals is useful to characterize the resource.

Recharge to the Inyan Kara aquifer occurs through infiltration of precipitation and streamflow losses at the outcrop; and possibly through upward leakage from underlying aquifers (Bredehoeft and others, 1983). The total recharge to the aquifer just from infiltration at the outcrop, consequently a minimum value, is estimated to be 11,600 acre-feet per year (Driscoll and others, 2002).

There are currently 181 water rights/permits appropriating water from the Inyan Kara aquifer in South Dakota representing diversion authority of 41.01 cfs for non-irrigation use, and irrigation rights for 1,096.65 acres (Water Rights, 2009). In addition the City of New Underwood holds Future Use Permit No. 1780-2 which reserves 142 acre-feet annually from the Inyan Kara aquifer. If the worst case assumptions are made that (1) 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); the total water use from the Inyan Kara aquifer would be around 15,000 acre-feet per year. The actual amount of water used from the Inyan Kara is considerably less than this estimate. For example, in the study area of the "Black Hills Hydrology Study", the aforementioned "worst case" methodology estimates a maximum annual water use by appropriative rights of about 10,000 acre-feet per year (106 Water Rights/Permits, 18.378 cfs, 765.65 acres irrigated). Withdrawals from wells completed into the Inyan Kara aquifer were estimated to be 1,400 acre-feet annually from 1950-1998 in the Black Hills area (Driscoll and others, 2002).

Comparison of the estimated annual recharge to the Inyan Kara with the water use estimated from the aquifer suggests that withdrawals from the aquifer have not exceeded recharge. A water budget is not intended to suggest that all of the water that is in storage in the Inyan Kara or that all of the recharge is available for this appropriation, merely to demonstrate that in general the Inyan Kara aquifer is an immense resource that is relatively untapped.

The Water Rights Program does not monitor any observation wells completed into the Inyan Kara aquifer in this area and water level information is limited. The nearest Water Rights' Observation Well completed into the Inyan Kara aquifer (LA-90B) is located approximately 33 miles southwest of this well site. Large temporal fluctuations of the water level of the Inyan Kara are not expected in this area due to the distance to the recharge area.

EXISTING WATER RIGHTS:

There are only six Water Rights/Permits appropriating water from the Inyan Kara aquifer within approximately 25 miles of the well that is to supply 1903-1. They are shown in table 1.

PERMIT NO	NAME	STATUS	USE	CFS	DISTANCE FROM 1903-1 (MILES)
313-1	WILLISTON BASIN INTERSTATE PIPELINE CO	LC	IND	0.05	22
366-1	TOWN OF NISLAND	LC	MUN	0.15	23
716-1	CITY OF NEWELL	LC	MUN	0.44	21
731-1	CITY OF NEWELL	LC	MUN	0.44	21
816-1	BUTTE-MEADE SANITARY DIST	LC	RWS	0.24	20
1788-1	VERITAS ENERGY INC	PE	DOM	0.10	13

Table 1. Water Rights/Permits within approximately 25 miles of the well that is to supply this proposed appropriation.

There are 28 domestic wells completed into the Inyan Kara aquifer within approximately 25 miles, and five domestic wells completed into the Inyan Kara within approximately 10 miles of the well

that is to be used to supply this appropriation. The nearest domestic wells completed into the Inyan Kara are the Neil Beets, Roger Croell, and Kenny McFarland wells; each is approximately six and one-half miles from this well.

Well interference is not expected to be significant given the distance between wells.

Water Management Board rules 74:02:04 and 74:02:05, which were promulgated pursuant to SDCL 46-6-6.1, provide protection for existing wells 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 in a prior appropriator's well is not necessarily protected. In fact, in past action, the Water Management Board it 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. In this area, the Inyan Kara aquifer has around 2,950 feet of artesian head pressure. Therefore well interference is not likely to adversely impact existing uses, including domestic.

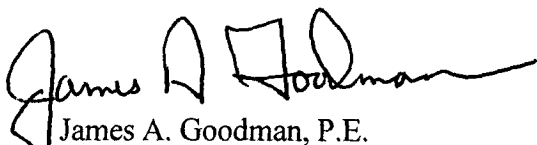
CONCLUSIONS:

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



Ken Buhler
Natural Resources Engineering Specialist

approved by



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

REFERENCES:

- Allen, J.C., Iles, D.L., and Petres, A.K., 1985, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Tasks 3A.B.C. AND 4A.B: Groundwater Resources Inventory: US Army Corps of Engineers Contract DAWC 45-82-C-0151, SD DENR- Geological Survey, Vermillion SD
- Bredehoeft, J.D., Neuzil, C.E. and Milly, P.C.D., 1983, Regional Flow in the Dakota Aquifer: A Study of the Role of Confining Layers: U.S. Geological Survey Water-Supply Paper 2237, 45 p.
- Driscoll, D.G., Carter, J.M., Williamson, J.E., and Putnam, L.D., 2002, Hydrology of the Black Hills Area, South Dakota: USGS Water-Resources Investigations Report 02-4094, 150 p.
- Gries, J.P., Rahn, P.H., and Baker, R.K., 1976, A Pump Test in the Dakota Sandstone at Wall, South Dakota: South Dakota Geological Survey Circular 43, 9 p.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, prepared for U.S. Army Corps of Engineers, contract DACW 45-80-C-0185
- Merewether, E.A., 1975, Mesozoic Rocks: Mineral and Water Resources of South Dakota, Committee on Interior and Insular Affairs, United States Senate pg. 41
- Water Rights Program, 1985, "Water Permit File 1947-2, City of New Underwood," DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights Program, 2005, "Well Completion Report for West River/Lyman Jones "Quinn #1 Well," Well Completion Report Files DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights Program, 2009a, "Water Right/Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights Program, 2009b, "Water Well Completion Report Data Base" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

AFFIDAVIT OF PUBLICATION

RECEIVED

JUL 31 2009

WATER RIGHTS
PROGRAM

STATE OF SOUTH DAKOTA
COUNTY OF BUTTE

Pam Capp, being duly sworn, says: That the *Butte County Post* is, and during all times hereafter mentioned, was a legal newspaper as defined in SDCL 17-2-2, as amended, published at Belle Fourche, Butte County, South Dakota, by Lee Enterprises; that affidavit is and, during all of said times, was employed as an Office Manager 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 of which is attached, was published in said newspaper for successive issues, bearing the following dates:

<u>July 22</u>	<u>200</u>	<u>9</u>	<u>200</u>
<u>July 29</u>	<u>200</u>	<u>9</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>	<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 \$ 39.60, 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.

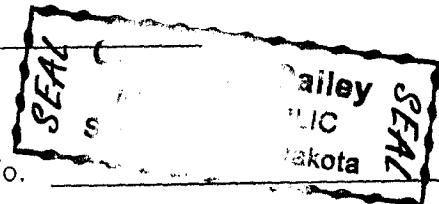
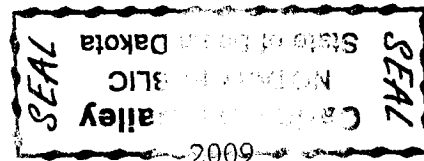
Pam Capp

Office manager

Subscribed and sworn to before me this

29th day of July
Careal J. Dailey

Notary Public, South Dakota



Account No.

Total Amount - 0 -

My Commission Expires May 24, 2010

**NOTICE OF APPLICATION
NO. 1903-1 to Appropriate
Water**

Notice is given that Castle Rock Group, c/o Gary Wendt, 12977 Rock Butte Lane, Newell SD 57760 has filed an application for a water permit to appropriate 0.11 cubic feet of water per second from one well to be completed into the Inyan Kara Aquifer (3,889 feet deep) located in SW 1/4 NW 1/4 Section 13-T12N-R5E for livestock watering and domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1903-1 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 this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider 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 recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57504-605 773-3352" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 10, 2009.

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.

**Published Wed., July 22
and Wed., July 29, 2009
Butte County Post**



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 10, 2009

Butte County Post
614 State St
Belle Fourche SD 57717

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 1903-1 to Appropriate Water to be published twice. Please publish the first notice on July 22, 2009 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 Castle Rock Group, c/o Gary Wendt, 12977 Rock Butte Lane, Newell SD 57760 (Ph # 605-866-4439).

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. 1903-1

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

Date _____

We are in receipt of your letter of July 10, 2009 enclosing Notice to Appropriate Water by Application No. 1903-1 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.

July 10, 2009

Castle Rock Group
c/o Gary Wendt
12977 Rock Butte Lane
Newell SD 57760

Dear Mr. Wendt:

Water Permit Application No. 1903-1 for domestic and livestock 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 Butte County Post printed at Belle Fourche SD (Ph # 605-892-2528). 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 July 22, 2009 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 1903-1 to Appropriate Water

Notice is given that Castle Rock Group, c/o Gary Wendt, 12977 Rock Butte Lane, Newell SD 57760 has filed an application for a water permit to appropriate 0.11 cubic feet of water per second from one well to be completed into the Inyan Kara Aquifer (3,889 feet deep) located in SW ¼ NW ¼ Section 13-T12N-R5E for livestock watering and domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1903-1 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 this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider 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 recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 10, 2009.

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.

Published at an approximate cost of_____.



**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 14 2009

Castle Rock Group
c/o Gary Wendt
12977 Rock Butte Lane
Newell SD 57760

Dear Mr. Wendt:

Enclosed is Water Permit No. 1903-1 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

1903-1
RECEIVED
AUG 19 2009
WATER RIGHTS
PROGRAM

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

Date 8-19-09

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

FROM: Castle Rock Group c/o Gary Wendt
(name)
12977 Rock Butte Ln.
(address)
Newell S.D. 57760
(city, state, zip)

(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.

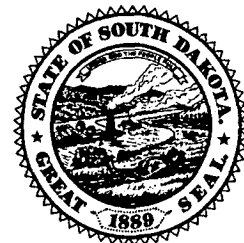
Water Permit No. 1903-1 states that the water use system is to be constructed by
8-10-14 (date), and water is to be put to beneficial use by 8-10-18 (date).

The water use system was completed on Sept of 2008 (date).

Applying the water to beneficial use was completed on Sept of 2008 (date).

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

Castle Rock Group c/o Gary Wendt
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 19, 2009

1903-1

Gary Wendt
Castle Rock Group
12977 Rock Butte Ln
Newell SD 57760

Dear Mr. Wendt:

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 your water use system.

The system is now ready for inspection. 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 Nos. 1903-1
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 on this day, **January 8, 2016**, made a thorough examination of the water use system constructed by **Castle Rock Group, % Gary Wendt, 12977 Rock Butte Ln, Newell, SD 57760** holder of Permit No. **1903-1**, bearing the priority of **May 19, 2009**, authorizing the diversion of **0.11** cubic foot of water per second (cfs), of the waters of the **Inyan Kara Aquifer** for **livestock and domestic purposes**, in **Butte County**.

I have to report on the condition of the same as follows:

A. Works used to divert the water:

Grundfos submersible capable of pumping 50 gallons per minute.

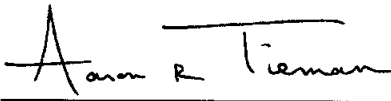
B. Works used to transport/apply water to beneficial use:

Water is pumped from the well and piped to tanks for storage for livestock and domestic use.

The system is in the following condition **good**. The point of diversion is located **2500 feet S and 620 feet E from the NW corner of Section 13, T12N-R5E (SW¼NW¼), Lat/Lon N45.004343/W-103.463319**. The works are capable of diverting and conveying to the place of use **0.11** cfs which is to be used for **livestock and domestic purposes**. Water has been put to beneficial use to the maximum extent and the license should be issued for **0.11** cfs.

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

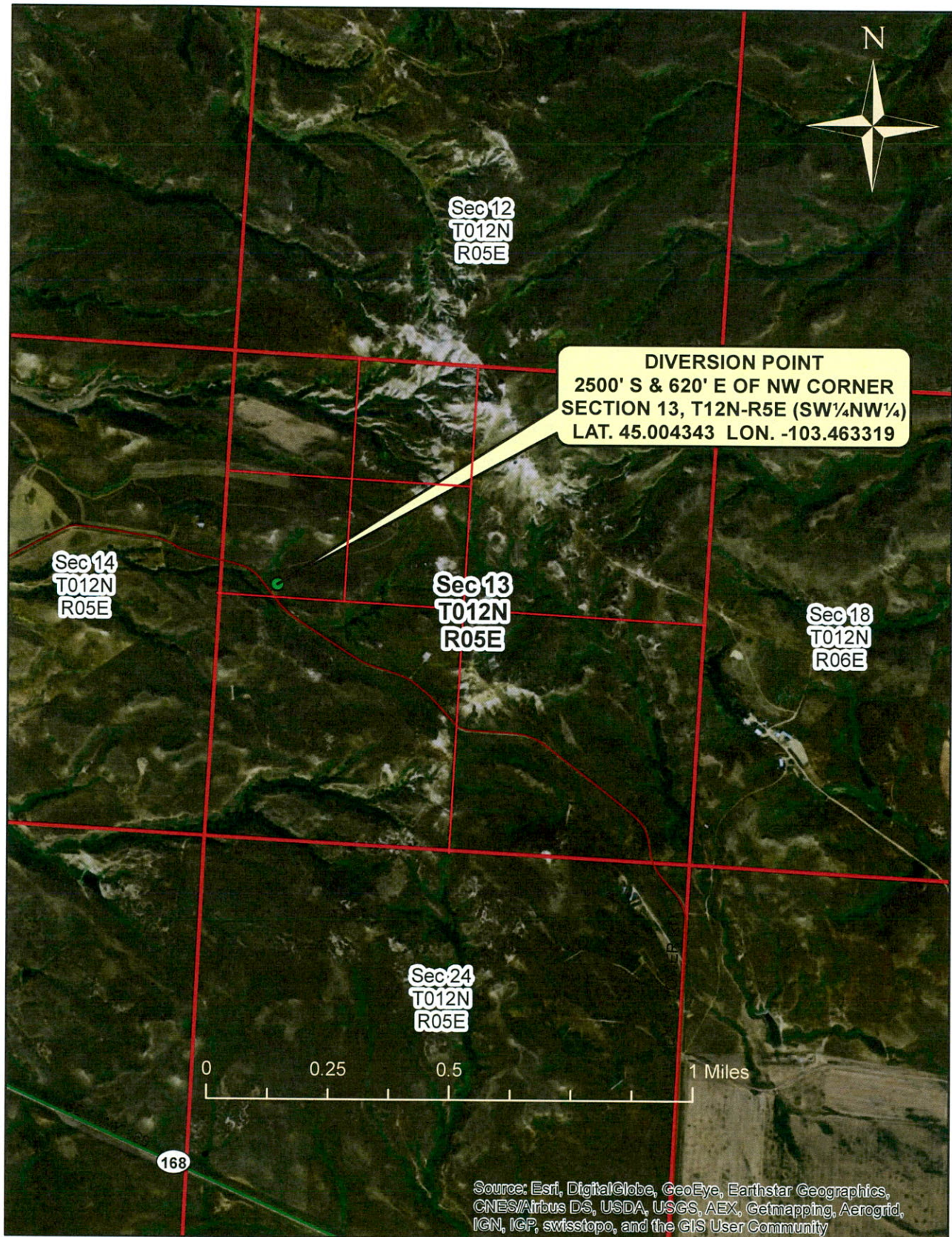
Exceptions to compliance are: **none**



Aaron Tieman
Natural Resources Engineer II
DENR, Water Rights Program

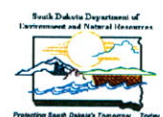
Date report completed: **June 24, 2016**

WATER PERMIT NO. 1903-1
JUNE 24, 2016



Aaron R. Tieman

Aaron Tieman
Natural Resources Engineer II
DENR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

JUL 01 2016

1903-1

Gary Wendt
Castle Rock Group
12977 Rock Butte Ln
Newell SD 57760

Dear Mr. Wendt:

Enclosed is Water License No. 1903-1. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1903-1

(1) Castle Rock Group, 12977 Rock Butte Lane, Newell SD 57760 made Application No. 1903-1, May 19, 2009 for a water permit to divert 0.11 cubic feet of water per second from ground water – one well (Inyan Kara Aquifer), Butte County, South Dakota for livestock and domestic use purposes. Permit No. 1903-1, with a priority date of May 19, 2009 was approved August 10, 2009 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 10, 2014 and for the application to beneficial use of said water on or before August 10, 2018.

(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 0.11 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 2,500 feet S and 620 feet E of the NW corner of Section 13, T12N, R5E (SW ¼ NW 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 Castle Rock Group, 12977 Rock Butte Lane, Newell SD 57760 the holder and/or owner of Water Right No. 1903-1 is issued a license to appropriate water, the right to use 0.11 cubic feet of water per second from ground water – one well (Inyan Kara Aquifer) with a priority date of May 19, 2009 from the location specified in (2) of this license for livestock and domestic use purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1903-1 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.
- Castle Rock Group shall report to the Chief Engineer annually the amount of water withdrawn from this well completed into the Inyan Kara Aquifer.



Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

JUL 01 2016

date

