WATER PERMIT NO. 1962-1

Name of Applicant: **Matt Hawkins**

Address: **23282 Schram Rd, Gretna NE 68028** Phone: **402-708-4000**

Amount of Water Claimed: **0.067 cfs** Total Acres: **NA**

Source of Water Supply: **groundwater (2 existing well and 1 new well)**

Water to be used for: **commercial** County: **Meade**

Type of Waste Disposal System:

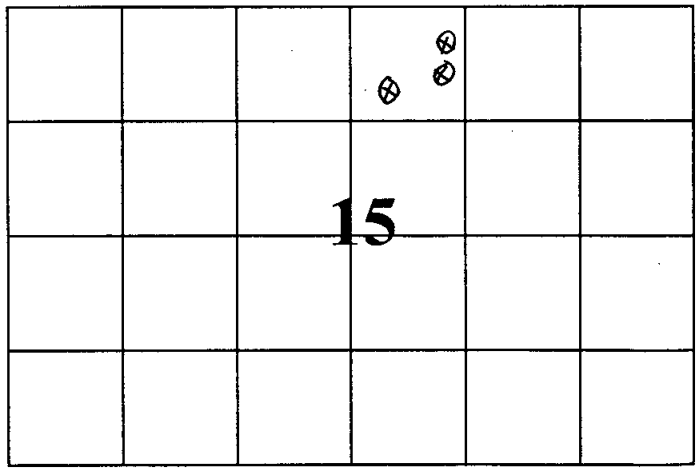
Location: **5 miles east of Piedmont**

PRIORITY Date Received: **3-29-17** Application/License Fee: **$ 300**

Corrected Application Received: Period of Annual Use: **Jan 1 – Dec 31**

Remarks:

Diversion Point: **NW 1/4 NE 1/4 Sec 15-T3N-R7E**



Land to be Irrigated: **NA**

Depth of Well: **25 feet and 60 feet**

Well Driller:

Remarks:

Type of Map: **plat**

Prepared by:

Reviewed and the Number Assigned on: **3-29-17** By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

SD EForm - 1585LD V5
FORM 2: Application for uses other than irrigation
(type or print)

RECEIVED
MAR 2 9 2017
WATER RIGHTS PROGRAM

Mail to:	(office use only)
DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. 1962-1 Hydrologic Unit 10120111 Basin Upper Cheyenne Newspaper Meade Co Times Tribune, Sturgis Rapid City Journal

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

- ☐ Municipal
- ☐ Rural Water System
- ☐ Domestic (over 18 gpm)
- ☐ Water Distribution System
- ☑ Commercial
- ☐ Industrial
- ☐ Recreational
- ☐ Fish & Wildlife
- ☐ Other
- ☐ Institutional
- ☐ Geothermal

Type of Application: (check one)

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

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

1. Name to Appear on Water Permit Matt Hawkins
   Mailing Address 23282 Schram Rd (Address) Gretna (City) NE (State) 68028 (Zip Code)
   Phone 402 708-4000 Mobile _____ Email Matthawkins9@msn.com
2. Amount of water claimed 0.067 *CFS or 16 currently 30 total **GPM and 2 ***AF or _____ Gallons
   Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use)
3. Source of water supply Ground
   Legal Disc.
4. Location of point of diversion NW1/4 NE1/4 Sec 15-T3N-R7E County Meade
   (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
   If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐Yes ☑No
   If "Yes," where will water be used? _____
   (example - NW1/4 section 12-T104N-R53W)
5. County or counties where water will be used Meade
6. Annual period during which water is to be used Year Round Jan 1 - Dec 31
7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Application to serve existing campground/domestic use at house and a proposed business lot development

I, _____ (Name of Person) _____ (Title (if applicable)), the applicant, certify under penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

2015-10

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

SOUTH DAKOTA
WATER PERMIT NO. 1962-1

Date of first receipt of application March 29, 2017.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1962-1 to Matt Hawkins, 23282 Schram Rd, Gretna NE 68028 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. 1962-1 appropriates 2 acre-feet of water annually at a maximum diversion rate of 0.067 cubic feet of water per second from two existing wells and one new well to be completed into the Quaternary Age Alluvium Aquifer (25 and 60 feet deep) located in the NW 1/4 NE 1/4 Section 15-T3N-R7E. The water will be for domestic use at a house, commercial use at a campground and business development located in the area described above.

2. The water appropriated shall be used for the purpose of domestic and commercial 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. 1962-1 is June 19, 2017.

5. The date from which applicant may claim right is March 29, 2017.

6. One-fifth of the construction is to be completed on or before December 19, 2019.

7. All construction is to be completed on or before June 19, 2022.

8. Water is to be put to beneficial use on or before June 19, 2024.

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 wells approved under Water Permit No. 1962-1 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

2. The new well authorized by Permit No. 1962-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

3. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Quaternary Age Alluvium aquifer.

4. Water Permit No. 1962-1 authorizes a total annual diversion of 2.0 acre feet of water.

WATER MANAGEMENT BOARD

By: Jeanne Goodman

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

JUN 23 2017
date

Form 2A
(Complete applicable portions only)

Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☑ Drilling new well(s) ① -60' ☑ Using existing well(s) ② +/- 25'

a) If new wells, how many 1 Have test holes been drilled ☐ Yes ☑ No Drilled by _____
(if yes, please provide copies of logs)

b) If existing wells, how many 2 Provide copy of log(s), if available. Drilled by None Available

For either Existing or Proposed Wells:

c) Well Depth (required) 25' Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____

d) Distance to nearest domestic well on applicant's property unknown Property owned by others _____

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) Septic

b) System Capacity (gallons) ⑥ 2250 gal spt. tanks for campground ① 1500 gal for home Year Constructed unknown
Business development are lot owner's responsibility

c) Connected to the City of NOT Sanitary System

3. Dugout Information

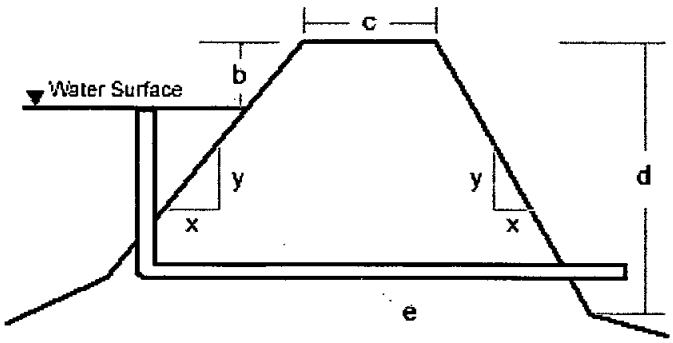
a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) 15'-20'

4. Water Storage Dams N/A

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 (e.g. 3 to 1 is a typical slope)

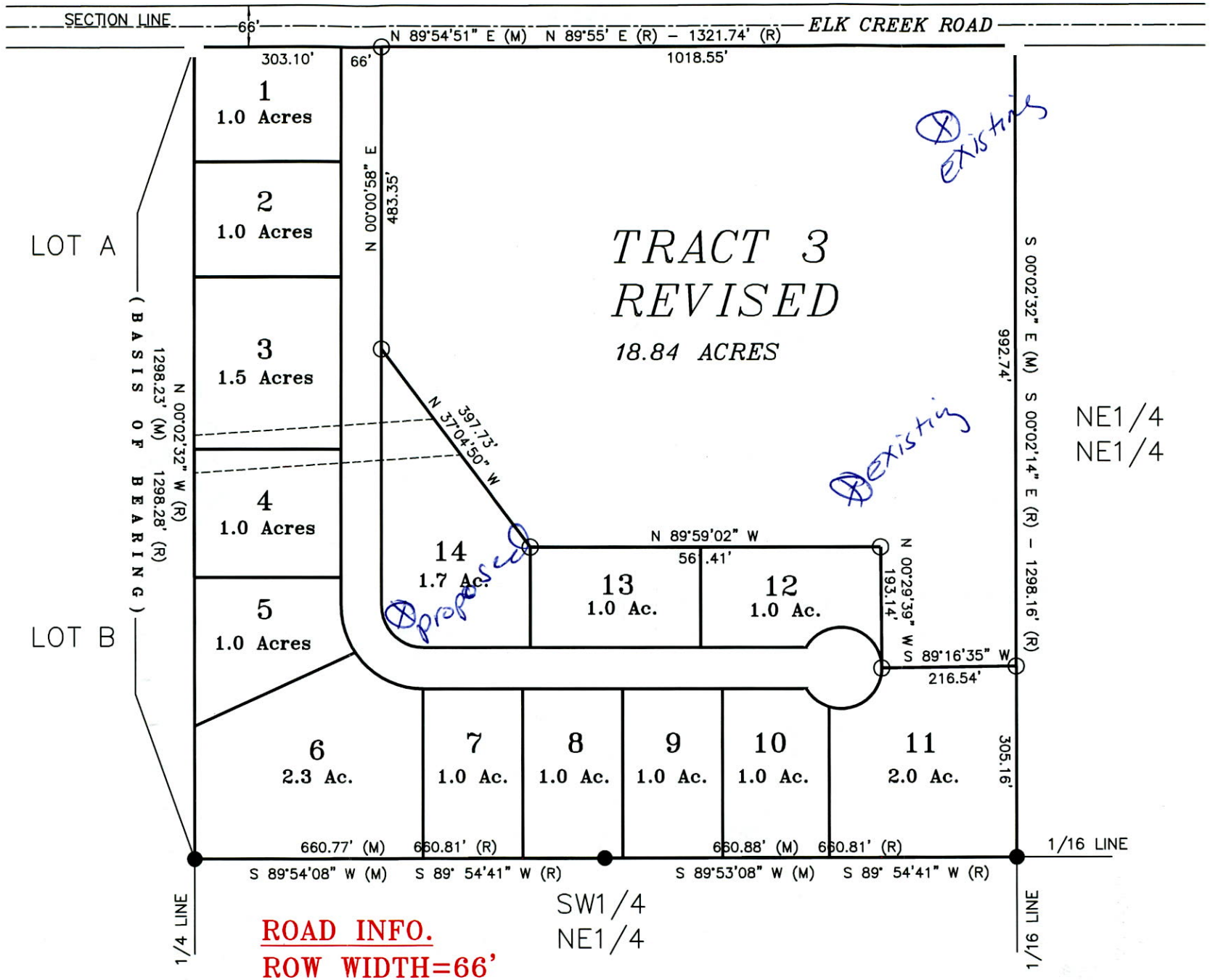
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



ROAD INFO.

ROW WIDTH=66'
AREA OF ROAD=2.8 ACRES
ROAD LENGHT=1787'

Sec 4
T003N
R07E
Sec 3
T003N
R07E
Sec 2
T003N
R07E
Sec 9
T003N
R07E
Sec 10
T003N
R07E
Sec 11
T003N
R07E
Sec 16
T003N
R07E
Sec 15
T003N
R07E
Sec 14
T003N
R07E
Sec 21
T003N
R07E
Sec 22
T003N
R07E
Sec 23
T003N
R07E

Schlaak, Karen

From: Gronlund, Eric
Sent: Friday, March 24, 2017 2:20 PM
To: Schlaak, Karen
Subject: FW: Matt Hawkins

Expect and application in the mail on Monday or Tuesday. It will be for 30 gpm / 2 ac-ft annually from two existing wells (16 gpm) and a proposed new well to serve the existing campground and domestic use for a house and a proposed business lot development.

From: Gronlund, Eric
Sent: Tuesday, March 14, 2017 2:27 PM
To: Buhler, Ken; Mathiowetz, Adam (DENR)
Subject: RE: Matt Hawkins

Ken – this is the gentleman that has an existing campground and wants to develop a small business park (selling lots) which he would provide water. This is located along Elk Vale Road in Meade County The campground is served by two wells. The business park will have one or two wells. My understanding is they will not be connected. Therefore two separate water permits are necessary.

Received a call from Mike Cameron ?sp? who a well driller. He wanted to know the process for getting authorization to construct a test well. This would be for the business park. He had been through the process a few years back when the Enning store's well collapsed. Told him he'd need to submit a written request to drill a test well that would need to include the depth, location and proposed use. Wouldn't hurt to include that they recognize they'll will have to obtain a water permit prior to its use. I stated this is a business decision being made by Mr. Hawkins as granting a request to drill a test well is not a guarantee of getting the permit. He said he'd pass that along to Mr. Hawkins.

Five minutes later I got a call from Mr. Hawkins and discussed the same thing. I had previously sent him application forms which he said he hadn't received. I got his email address and emailed forms to him. He wants to move dirt on his business park by June 1st.

Adam – included you as you often get these requests to drill a test well.

From: Gronlund, Eric
Sent: Wednesday, February 08, 2017 7:49 AM
To: Buhler, Ken
Subject: RE: Matt Hawkins

Thanks – I will give him a call this morning.

From: Buhler, Ken
Sent: Tuesday, February 07, 2017 4:19 PM
To: Gronlund, Eric
Subject: Matt Hawkins

Eric,
Matt Hawkins called me back. He has 40 acres in Sec. 15, T3N-R7E. (Not the location of denied Application NO. 1871-1). Currently there is a campground on a portion of the acreage that is supplied by two wells. Hawkins wants to turn the other part of the property into a multi-use area. The multi-use area will be subdivided into lots for buildings for plumbers, electricians etc. to use for shops and offices. He intends to drill a well for the new development and supply

water to the curb at each lot. If the lot owner chooses to hook up to the central system, that is up to the lot owner. I informed Hawkins that we do not have any record of a water right/permit for Sec. 15, T3N-R7E. Hawkins was upset and questioned how the campground could be "State Licensed" without a Water Right/permit. I explained that I believe "State Licensed" refers to licensing by the Dept. of Health and does not relate to the right to use water. I told Hawkins that I would have you call him regarding permitting issues.
I told him you were the expert but we may be able to do this with one permit application. I thought we could have a permit for commercial use from three wells (two existing) one proposed. Hawkins phone number is 402.708.4000.

THANKS, Let me know if you have any questions.
kb

DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

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

April 24, 2017

Mike Cameron
Cameron's Pump & Drilling
PO Box 19
Blackhawk, SD 57718

Dear Mike Cameron:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, Cameron's Pump & Drilling is authorized to construct a test well for Matt Hawkins approximately 50 feet deep prior to approval of a water permit. The test well will be located in the NW ¼ NE ¼ Section 15-T03N-R07E. All test wells must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Authorization must be obtained before water from the well can be used in excess of domestic use as defined by South Dakota Codified Law 46-1-6(7). Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit. If you have questions, call Eric Gronlund at (605) 773-3352.

Sincerely,

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

CC:
Matt Hawkins
23282 Schram Rd
Gretna, NE 68028

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3-29, 2017

RECEIVED OF Hawkins Development Center, 21610 Williams Circle, Gretna NE 68028

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

Fee for Application for Permit No. 1962-1 to Appropriate Water, to construct and to put water to beneficial use	100	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. 1962-1	200	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	300	00

No. 08213

By Jeanine Hoodman
Chief Engineer

KS

L21045096

NOTICE OF APPLICATION NO. 1962-1 to Appropriate Water

Notice is given that Matt Hawkins, 23282 Schram Rd, Gretna NE 68028 has filed an application for a water permit to appropriate 2 acre-feet of water annually at a maximum diversion rate of 0.067 cubic feet of water per second from two existing wells and one new well to be completed into the Quarternary Age Alluvium Aquifer (25 and 60 feet deep) located in the NW 1/4 NE 1/4 Section 15-T3N-R7E. The water will be for domestic use at a house, commercial use at a campground and business development located in the area described above.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1962-1 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at http://denr.sd.gov/public or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 June 19, 2017.

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.

f the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

/ Steven M. Pirner,
ecretary, Department of
nvironment and Natural
esources.

(Published once at the total approximate cost of $37.53)

Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Meade *SS:*

Carina Tyler being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the Rapid City Journal, a corporation of Rapid City, South Dakota, the owner and publisher of the MEADE COUNTY TIMES, a legal and daily newspaper printed and published in Sturgis, in said County of Meade, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies weekly, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Sturgis, in said Meade County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Meade County Times, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each Week *for* 1 *successive* Week, *the first publication there of being on the* 7 *day of* June 2017 *that the fees charged for the publication there of are* 37 *dollars and* 53 *cents.*

C A Tyler

Subscribed and sworn to before me this 22 *day of* June, 2017.

Dustin Rice

Notary public

DUSTIN RICE
NOTARY PUBLIC SOUTH DAKOTA
SEAL SEAL

7/1/20

My commission expires

Affidavit of Publication

June 7, 2017 L21844771

NOTICE OF APPLICATION
NO. 1962-1 to Appropriate Water

Notice is given that Matt Hawkins, 23282 Schram Rd, Gretna NE 68028 has filed an application for a water permit to appropriate 2 acre-feet of water annually at a maximum diversion rate of 0.067 cubic feet of water per second from two existing wells and one new well to be completed into the Quarternary Age Alluvium Aquifer (25 and 60 feet deep) located in the NW 1/4 NE 1/4 Section 15-T3N-R7E. The water will be for domestic use at a house, commercial use at a campground and business development located in the area described above.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1962-1 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at http://denr.sd.gov/public or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 June 19, 2017.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

/s/ Steven M. Pirner,
Secretary,
Department of Environment and Natural Resources.

(Published once at the total approximate cost of $62.26).

STATE OF SOUTH DAKOTA

County of Pennington SS:

Carina Tyler being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each 1 *for* 1 *successive* day, *the first publication there of being on the* 7 *day of* June 2017 *that the fees charged for the publication there of are* 62 *dollars and* 26 *cents.*

Carina Tyler

Subscribed and sworn to before me this 21 *day of* June, 2017.

Dustin Rice

Notary public

7/1/20

My commission expires

DUSTIN RICE
SEAL NOTARY PUBLIC SEAL
SOUTH DAKOTA

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, May 30, 2017 8:29 AM
To: RCY Legals (legals@rapidcityjournal.com)
Subject: 1962-1, Matt Hawkins
Attachments: 1962-1public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on June 7, 2017.

Matt Hawkins, 23282 Schram Rd, Gretna NE 68028 (402 708-4000) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, May 30, 2017 8:27 AM
To: MCTT.News@rapidcityjournal.com
Subject: 1862-1, Matt Hawkins
Attachments: 1962-1public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on in the Meade County Times Tribune on June 7, 2017.

Matt Hawkins, 23282 Schram Rd, Gretna NE 68028 (402 708-4000) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352

Instruction to Newspaper - Publish the Notice on June 7, 2017. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1962-1 to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1962-1 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at http://denr.sd.gov/public or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 June 19, 2017.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of_____.

DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

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

denr.sd.gov

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

May 26, 2017

Matt Hawkins
23282 Schram Rd
Gretna NE 68028

Dear Mr. Hawkins:

Water Permit Application No. 1962-1 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Meade County Times-Tribune printed at Sturgis SD (Ph # 605-347-2503) and the Rapid City Journal printed at Rapid City SD (Ph # 605-394-8300). You will need to contact the newspaper(s) 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 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT APPLICATION NO. 1962-1, Matt Hawkins

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. 1962-1, Matt Hawkins, 23282 Schram Rd, Gretna NE 68028.

The Chief Engineer is recommending APPROVAL of Application No. 1962-1 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 wells approved under Water Permit No. 1962-1 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

2. The new well authorized by Permit No. 1962-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

3. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Quaternary Age Alluvium aquifer.

4. Water Permit No. 1962-1 authorizes a total annual diversion of 2.0 acre feet of water.

See report on application for additional information.

Jeanne Goodman, Chief Engineer
May 26, 2017

NOTE: Based on conversations with DENR staff you have indicated that the campground and two existing wells included in this application may be sold. If that occurs, a transfer of ownership will need to filed so the water permit can be split. The transfer will need to specify the wells and proportionate amount of the appropriation that goes to each owner.

Report to the Chief Engineer
Water Permit Application 1962-1
Matt Hawkins
May 12, 2017

Water Permit Application No. 1962-1 proposes to appropriate water at a maximum instantaneous diversion rate of 0.067 cubic feet per second and maximum annual rate of two acre-feet annually from two existing wells and one proposed well completed into quaternary age alluvium. The existing and proposed well locations are located in the NW ¼ NE ¼ Section 15-T3N-R7E. The proposed water use is for domestic use at a home and commercial use at an existing campground and a planned 14 lot business development.

Aquifer: Quaternary Age Alluvium (ALQ)

Hydrogeology and Aquifer Characteristics

In the central Black Hills alluvial deposits occupy the bottoms of wider valleys and are most extensive in the shale region east of the Black Hills (Darton and Paige, 1925). Alluvium consists of unconsolidated (not cemented into a rock) to loosely consolidated deposits of sand, silt, gravel, and clay laid down in river beds and flood plains in recent geologic times. Alluvium in this area consists mainly of local materials that merge into the hillside wash on adjoining slopes (Darton and Paige, 1925). Alluvial deposits typically range from 10 to 30 feet in thickness (Darton and Paige, 1925). Alluvium is present at or near ground surface along local creeks in the area of the well sites for this application. Alluvium in the area of the well sites for this application overlies shales that act as confining units under the alluvium (Strobel, 1999 and Lisenbee and Hargrave, 2005). A map of the quaternary age alluvium along Elk Creek and its tributaries in the Black Hills area is shown in Figure 1.

In the area of this application the alluvium is approximately 1.25 miles wide (Strobel, 1999). Continuous alluvium deposits underlie approximately 5,152 acres of area along Elk Creek and its tributaries upstream of the well sites for this application (Strobel, 1999). However, the viability of alluvium in that aerial extent as an aquifer likely varies locally. Available information indicates that the alluvium is a viable aquifer in that area of the well sites for this application (Water Rights, 2016a and Water Rights, 2016c). Saturated thicknesses of the alluvium based on well completion reports in the area of the well sites for this application average approximately 10 feet, and the saturated thickness likely fluctuates naturally based on climatic conditions (Water Rights, 2016a and Water Rights, 2016c).

Well completion reports are not available for the two existing wells for this application. The applicant indicated that the two existing wells have depths of about 25 and 60 feet below grade and that the proposed well for this application would be of a similar depth. The applicant indicated that the depth to water in these wells is about 15 to 20 feet below grade. This would result in a saturated thickness of approximately five to ten feet in the 25 foot well. In considering the area geology and well construction of other alluvial wells in the area, the geologic material of the deeper well likely consists of surface material and alluvium to approximately 25 feet below

grade, then likely consists of additional depth drilled into the underlying shale (likely the Belle Fourche Shale (Lisenbee and Hargrave, 2005)) to allow for water storage and pump operation. The proposed third well for this application may require similar construction depending on the pump requirements and site specific conditions.

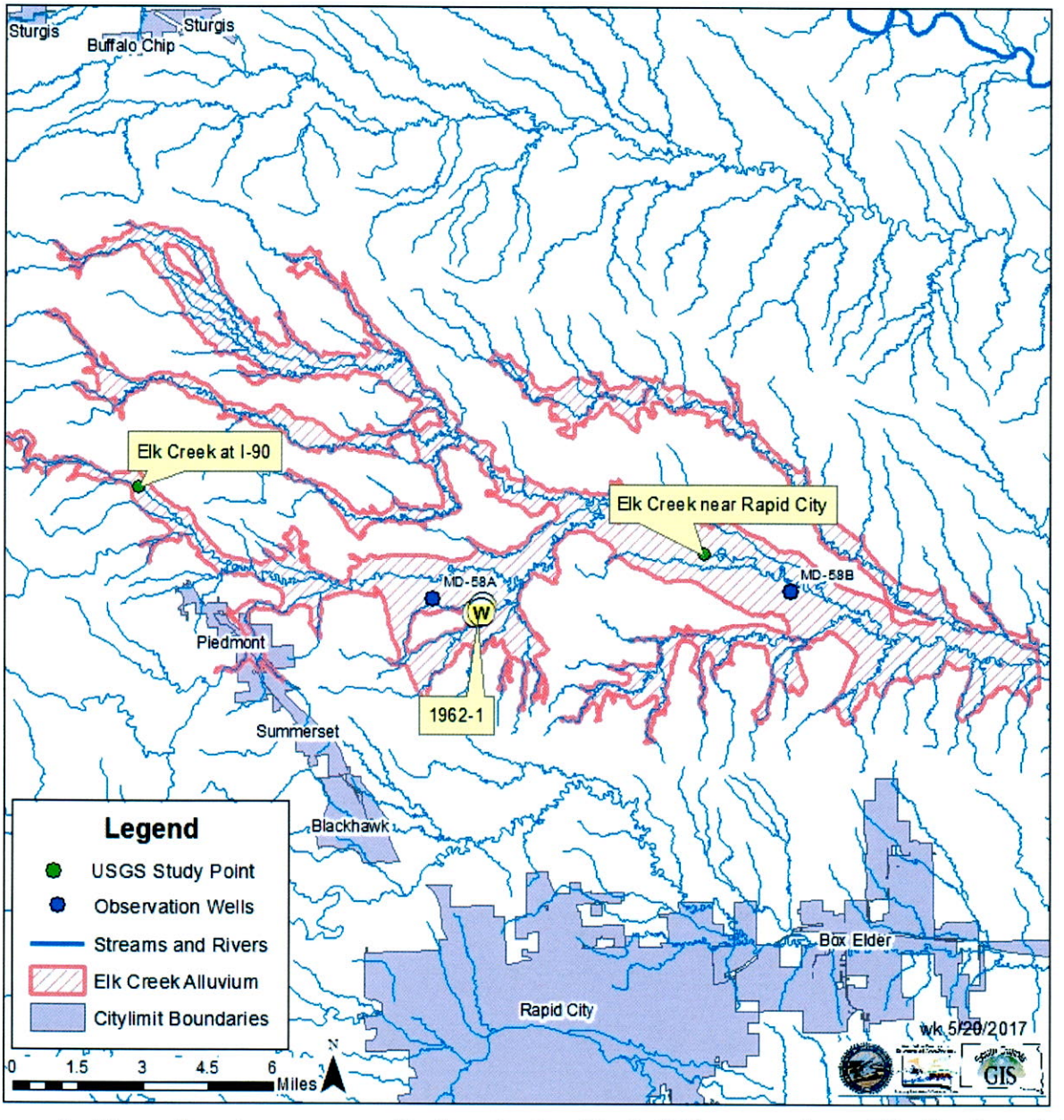

Figure 1: Map of quaternary age alluvium in the Black Hills area along Elk Creek and its tributaries (modified from Strobel, et al., 1999) (note: alluvium extends further east than the shown cut off in Figure 1, which is the limit of the study area for Strobel, et al., 1999)

South Dakota Codified Law (SDCL) 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water and existing rights from the aquifer that are pertinent to this application.

Water Availability

Water Permit Application No. 1962-1 proposes to appropriate water from the quaternary age alluvium for domestic and commercial use. The probability of unappropriated water being available from an aquifer can be evaluated by considering SDCL 46-6-3.1 which requires "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." If the source of the water is older or lower than the Greenhorn Formation and the application is for a water distribution system defined pursuant to SDCL 46-1-6 (17), the Board need not consider the recharge/withdrawal issue. Here, a water distribution system is involved, however the quaternary age alluvium is not older or lower than the Greenhorn Formation, therefore the withdrawal/recharge issue must be considered.

Recharge and Discharge

Recharge to the alluvium is mainly through infiltration of precipitation and inflow from surface waters. Average annual recharge has not been quantified for the alluvium in this area. This indicates that the observation well data for the quaternary age alluvium adjacent to Elk Creek is the best available information to assess water availability for the aquifer. In regard to recharge from surface waters, Hortness and Driscoll (1998) examined streamflow in Elk Creek between the Elk Creek USGS gauging station near Rapid City and Elk Creek at I-90, approximate locations shown in Figure 1. Hortness and Driscoll (1998) noted that alluvial storage upstream of Elk Creek near Rapid City is quite large. The study also noted that streamflow that passes through the Madison and Minnelusa loss zone contributes to alluvial storage until alluvial storage is satisfied (Hortness and Driscoll, 1998).

Discharge from the alluvium occurs via evapotranspiration, outflow to surface waters, and well withdrawals. Evapotranspiration from this aquifer is the likely source of the majority of the discharge from this aquifer. Driscoll and Carter (2001) note that, "In the Black Hills area, where potential evaporation generally exceeds precipitation, most water is eventually returned to the atmosphere through evapotranspiration (ET)." In regard to outflow to surface waters, Hortness and Driscoll (1998) noted that springflow in Elk Creek between the Elk Creek near Rapid City and Elk Creek at I-90 is, "quite variable (ranging from less than 1.0 to in excess of 10 ft^3/s) and most likely is related to recent recharge conditions." However, Hortness and Driscoll

(1998) also note that the source of the springflow from bedrock, alluvial, or a combination could not be identified.

There are two water rights currently authorized to appropriate water from the quaternary age alluvium along Elk Creek and its tributaries. Water Right No. 1340-1 is for a spring near the headwaters of Elk Creek supplied by either alluvium along Elk Creek or the Precambrian Crystalline Rock aquifer (Water Rights, 2017b). In examining the geology of the Elk Creek watershed and its tributaries, near the headwaters of Elk Creek and its tributaries alluvium occurs in very limited areal extents (Strobel, 1999). The alluvium that is potentially supplying this spring is not directly connected to the alluvium where the well sites for this application are located. Therefore, Water Right No. 1340-1 should not be considered a withdrawal from the quaternary age alluvium where the well sites for this application are located. Water Right No. 1376-1 is located in the continuous alluvium deposit that includes the well site for this application. Historically, water use by non-irrigation appropriations limited by instantaneous diversion rate has been less than 60% of full time pumping at the permitted authorized diversion rate. However, an 2016 inspection report for a water right for Mountain West LLC completed into a different aquifer indicates the well for Water Right No. 1376-1 is currently being utilized in the facility's shop with a maximum diversion rate of 15 gallons per minute (gpm) (Water Rights, 2017b). Therefore, appropriative withdrawals under Water Right No. 1376-1 are estimated at less than 15 acre-feet per year. The Water Rights Program has a number of domestic well completion reports on file that are likely completed into the quaternary age alluvium along Elk Creek and its tributaries (Water Right, 2017c).

Table 1: Summary of Water Right Information (Water Rights, 2016b)

Permit No.	Name	Status	Use	Rate (cfs)
1340-1	Jom Brotsy	LC	COM	0.04
1376-1	Mountain West LLC	LC	IND	0.33

LC-water right, COM-commercial, IND-industrial

The proposed water use for this application is for domestic use at a home and commercial use at an existing campground and a planned 14 lot business development. This application, if approved, would be limited to maximum annual diversion rate of two acre-feet per year. However, since the business park that this application proposes to supply is still in development, the applicant may want to monitor annual use of the final development to determine if additional annual volume may need to be permitted sometime in the future. This will like depend on the seasonality and water demands of the businesses utilizing the proposed business development (for example a laundromat vs a seasonal shop) or if the operational period of the campground be extended at some point in the future.

Observation Wells

In determining the availability of unappropriated water for a permit application Administrative Rule of South Dakota 74:02:05:07 requires the Water Management Board to rely on the record of observation well measurements, in addition to other data, to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated annual recharge.

The Water Rights Program monitors two observation wells completed into the quaternary age alluvium adjacent to Elk Creek. The nearest of these is observation well MD-58A located about 0.85 miles to the west of the nearest well location. The hydrographs for these observation wells are shown in Figure 2 and Figure 3. Observation well locations are shown in Figure 1.

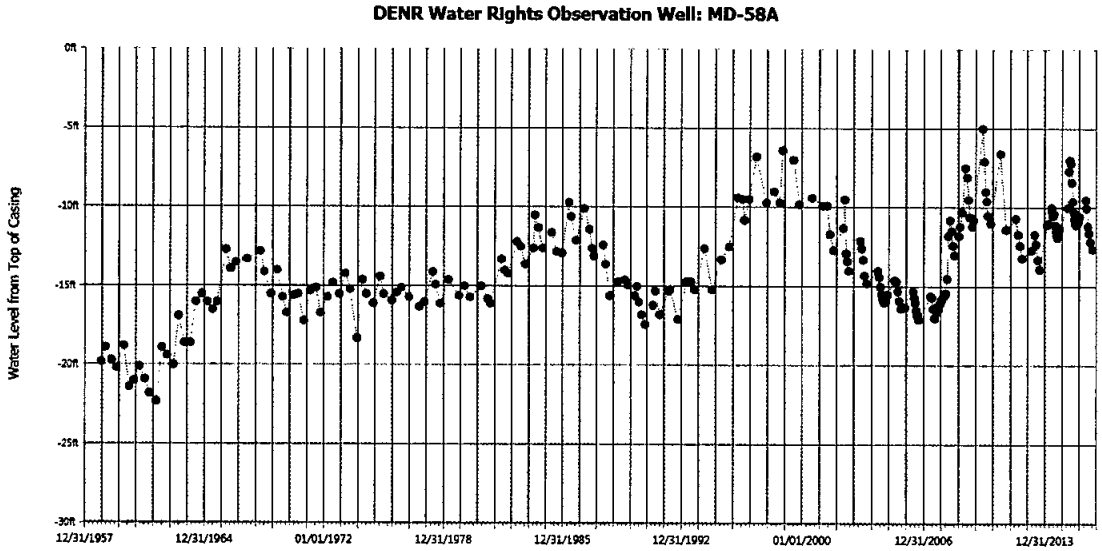

Figure 2: Hydrograph of Observation Well MD-58A located 0.85 miles west (Water Rights, 2017a)

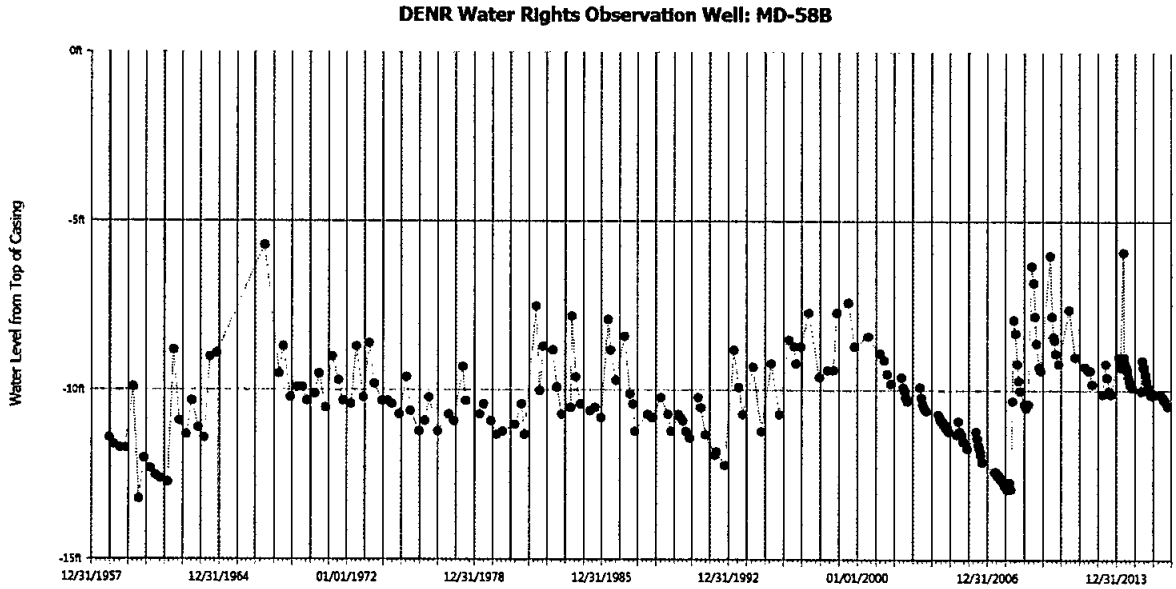

Figure 3: Hydrograph of Observation Well MD-58B located 7.23 miles east (Water Rights, 2017a)

The observation well data documents cyclic conditions of water levels, recharging during wet periods and declining during dry periods. Over the period of record, the hydrograph of observation well MD-58A shows increased water in storage in the alluvium in the area of this observation well. Observation well data indicates that at the current level of development temporal well withdrawal is masked by climatic conditions, indicating that recharge to and natural discharge from the aquifer exceeds well withdrawal. Due to the close proximate of observation well MD-58A, the hydrograph of this observation well is likely very indicative of water availability in the area of the well sites for this application. The hydrograph demonstrates that storage has increased over the period of record, indicating that over the period of record average annual recharge to the aquifer has exceeded average withdrawals in this area of the quaternary age alluvium. Therefore, there is a reasonable probability that water is available for appropriation.

Existing Water Rights/Permits

The nearest water right currently authorized to appropriate water from the quaternary age alluvium along Elk Creek and its tributaries is Water Right No. 1376-1 located approximately 7.5 miles west northwest from the well locations for this application. Due to the relatively small diversion requested by this application, the distance involved, and the location of the well for Water Right No. 1376-1 being upgradient of the well sites for this application, this application, if approved, is not expected to adversely impact Water Right No. 1376-1. There are several domestic/stock well completion reports on file with the South Dakota Water Rights Program with driller reported locations that are within approximately one mile of the proposed well location for this application, some of which are likely completed into the quaternary age alluvium (Water Rights, 2017c).

Due to the proximity of the well locations for this application to each other, any drawdown as a result of pumping from this application will affect the other wells of this application before potentially affecting other wells in the area. The alluvium in the area of this application is expected to be under water table conditions. Due to water table conditions in the area of the well sites for this application and the relatively low diversion rate (about 30 gallons per minute (gpm)) any drawdown as a result of pumping is not expected to be significant far from the wellsite. In considering the hydrograph for observation well MD-58A, water levels in the area fluctuates around eight feet between wet and dry period cycles. Due to the relatively low diversion rate requested by this application any drawdown that occurs as a result of this application will likely be masked by climatic fluctuations in water levels. Additionally, information included in the application indicates that the existing wells have a diversion capability of about 16 gpm, so this application is an increase of maximum diversion rate of 14 gpm. Therefore, there is a reasonable probability that this application will not adversely impact existing water rights completed into the quaternary age alluvium along Elk Creek, or impact Elk Creek which is located about 0.6 miles north of the well sites for this application.

Therefore, there is a reasonable probability that pumping under this permit, if approved, will not impair water rights/permits with a senior priority date or adversely impact domestic wells in the area. The Water Management Board has defined an adversely impacted domestic well as "a well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner's needs."

The quaternary age alluvium is a relatively thin aquifer with a limited amount of water in storage. While the average annual withdrawal would not exceed average annual recharge to the aquifer, conditions may occur when the withdrawal exceeds recharge. When this occurs, water will be removed from storage, consequently reducing the saturated thickness of the aquifer. If this occurs for an extended period of time such that the saturated thickness is reduced to the extent that the water rights/permits can no longer pump at their developed or "historically established" rates, this may be considered an adverse impact.

Public Interest/Related History

In early 2014, the now withdrawn Water Permit Application No. 1942-1 for irrigation from dugouts constructed in the quaternary aged alluvium, one of which was located along Elk Creek, had a number of opposing petitions (Water Rights, 2017b). Petitioner concerns included but were not limited to the size of the diversion, loss of water in the alluvium for domestic use, reduction of springflow, protection of riparian areas, and potential impacts to Elk Creek (Water Rights, 2017b). The proposed dugout location near Elk Creek for withdrawn Water Permit Application No. 1942-1 was about 10 miles east of the well sites for this application (Water Rights, 2017b). The withdrawn Water Permit Application No. 1942-1 was for a maximum diversion rate of 5.56 cfs with the combined storage of the two dugouts estimated at 95 acre-feet, and the proposed dugout near Elk Creek was to be located about 500 feet from the creek (Water Rights, 2017b).

Conclusions

1. Water Permit Application No. 1962-1 proposes to appropriate water at a maximum instantaneous diversion rate of 0.067 cubic feet per second and maximum annual rate of two acre-feet annually from three wells in the quaternary age alluvium located in the NW ¼ NE ¼ Section 15-T3N-R7E. The proposed water use is for domestic use at a home and commercial use at a campground and business development.

2. There is a reasonable probability that water is available in the quaternary age alluvium along Elk Creek and its tributaries in the area of the well sites for this application.

3. There is a reasonable probability that this application, if approved, will not adversely impact existing water rights or Elk Creek.

Whitney Kilts
SDDENR-Water Rights Program

Approved by

Ken Buhler
SDDENR-Water Rights Program

References

Darton, N. H. and Paige, S. 1925. Central Black Hills folio, South Dakota: United States Geologic Survey: Folios of the Geologic Atlas 219. Description of the Central Black Hills.

Driscoll, D. G. and Carter, J. M. 2001. Hydrologic Conditions and Budgets for the Black Hills of South Dakota, Through Water Year 1998: United States Geologic Survey Water-Resources Investigations Report 01-4226.

Hortness, J. E. and Driscoll, D. G. 1998. Streamflow Losses in the Black Hills of Western South Dakota: United States Geological Survey Water-Resources Investigations Report 98-4116.

Lisenbee, A. L. and Hargrave, R. G. 2005. Geologic Map of the Blackhawk Quadrangle, South Dakota: South Dakota Geological Survey 7.5 Minute Geologic Quadrangle Map 5, scale 1:24,000.

Strobel, M. L., Jarrell, G. J., Sawyer, J. F., Schleicher, J. R., and Fahrenbach, M. D., 1999, Distribution of Hydrogeologic Units in the Black Hills Area, South Dakota. U.S. Geological Survey Hydrologic Investigations Atlas HA-743. Rapid City, South Dakota

Water Rights. 2017a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

Water Rights. 2017b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Water Rights. 2017c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

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

denr.sd.gov

JUN 23 2017

Matt Hawkins
23282 Schram Rd
Gretna NE 68028

Dear Mr. Hawkins:

Enclosed is Water Permit No. 1962-1authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

A 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 information 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,

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

enclosures

19621

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ NE ¼ Sec 15 Twp 3N Rg 7E

County Meade

North

Please mark well location with an "X"

W E

1 Mile

Well completion Date 5-15-17

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? 900 ft. from Septic System (identify source)

PROPOSED USE:
☑ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING: Cable Tool

CASING DATA: ☑ Steel ☑ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
23 LB/FT	7 IN	6 FT	22 FT	8 5/8 IN
LB/FT	5 IN	18 FT	30 FT	6 1/4 IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Portland	1	15.6 Lb/gal	Surf. Ft	9 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN: ☑ Perforated pipe ☑ Manufactured

Diameter 7 Inches Length 4 Feet

Material Steel

Slot Size 1/8" x 6" Set From 16 Feet to 20 Feet

Other information PVC 5" Slotted .035" 10'-30'

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? chlorinated

☐ No, Why Not? pump not installed

Lab sample sent to for water quality analysis

Well Owner: Matt Hawkins

Business Name:

Address: 21610 Williams Circle Suite #4

City, State, Zip: Gretna Neb. 68028

WELL LOG:

FORMATION	DEPTH FROM	DEPTH TO
Top soil	0	7
Clay & gravel	7	20
grey Shale	20	30

STATIC WATER LEVEL 9 FEET

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☑ Pumped Describe: Sub. pump

☐ Bailed

☐ Other

Pumping Level Below Land Surface

13 Ft. After 2 Hrs. pumped 14 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

Quaternary Alluvium QAL

This well was drilled under license # 668

And this report is true and accurate.

Drilling firm: Cameron Drilling

Signature of License Representative:

Donald M. Cameron

Signature of Well Owner or Equitable Property Holder:

Date:

RECEIVED
AUG 18 2017
WATER RIGHTS PROGRAM

Please return **WHITE COPY** to: DENR Water Rights 523 E Capitol Ave. Pierre SD 57501

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 10, 2018

1962-1

Terri Talkington
2305 Elk Creek Rd
Piedmont SD 57769

Dear Ms. Talkington:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Permit No. 1962-1. The water permit is currently listed in the name of Matt Hawkins. Mr. Hawkins indicates you are now the owner of the two older wells and the campground.

The transfer form should be completed, checked over for accuracy, and **signed by the new owner**. Upon completion, return the form to our office with a required filing fee of $50.00.

Water Permit No. 1962-1 was issued 0.067 cubic feet of water per second (30 gallons per minute) from three wells (copy enclosed). Between Mr. Hawkins and yourself, a determination will need to be made on what amount of the 30 gallons per minute will be associated with your two wells and what amount will remain with newer well belonging to Mr. Hawkins. When returning the transfer form and fee, please let us know the gallons per minute to be associated with your wells. The permit will then be split accordingly into Nos. 1962A-1 and 1962B-1.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Eric Gronlund or me.

Sincerely,

Karen Schlaak

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

enclosure

c: Matt Hawkins

1962-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

April 17, 2018

1962-1

Terri Talkington
2305 Elk Creek Rd
Piedmont SD 57769

Dear Ms. Talkington:

On January 10, 2018, based on a phone conversation with Matt Hawkins, a partially completed "Notice of Transfer" form was sent to you regarding Water Permit No. 1962-1. A copy of that letter is enclosed.

As stated in the letter a determination between Mr. Hawkins and yourself will need to be made on what amount of the 30 gallons per minute will be associated with your two wells and what amount will remain with the newer well belonging to Mr. Hawkins.

Enclosed is another Notice of Transfer form to be completed and returned with the $50 fee. It is important that we keep our records accurate in order to protect your right to use of the water.

Also, please note qualification No. 3 on Water Permit No. 1962-1 requires reporting to the Chief Engineer annually the amount of water withdrawn from the wells each year. Please maintain the appropriate records. A letter is sent from our office after the 1st of each year requesting water use for the prior year.

If you have any questions, please contact Eric Gronlund or me.

Sincerely,

Karen Schlaak

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

enclosures

c: Matt Hawkins

File No. 1962-1

Water Rights Program - File Documentation

NAME: Matt Hawkins

ADDRESS: Gretna NE

DATE: 1-9-18

RE: Water Use for 2017

COMMENTS:

Matt reported the campground and two existing wells portion of Permit No. 1962-1 have been sold to Terri Talkington, 2305 Elk Creek Rd, Piedmont SD 57769 (303 845-2885). Sending transfer forms to her.

Matt further stated there was zero use from the new well. This is the portion he still owns and is going to develop the 14 lots for commercial use.

I told Matt once the Transfer of Ownership is submitted the Permit will be split accordingly.

Karen Schlaak

Karen Schlaak
Water Rights Program

1962-1

DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

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

denr.sd.gov

1962-1
1962B-1

Spur Enterprises LLC
c/o Terri Talkington
21879 Antelope Creek Rd
Box Elder SD 57719

Dear Ms. Talkington:

On May 7th, an ownership change was received from you for two of the wells described on Water Permit No. 1962-1. Based on the ownership change, the permit has been divided and reissued as follows:

- **Water Permit No. 1962A-1:** Matt Hawkins, 23282 Schram Rd, Gretna NE 69028 authorizing 0.022 cfs (10 gallons per minute) from one well completed into the Quaternary Age Alluvium Aquifer (30 feet deep) located in the NW 1/4 NE 1/4 Section 15-T3N-R7E.

- **Water Permit No. 1962B-1:** Spur Enterprises LLC, c/o Terri Talkington, 21879 Antelope Creek Rd, Box Elder SD 57719 authorizing 0.045 cfs (20 gallons per minute) from two wells completed into the Quaternary Age Alluvium Aquifer (25 and 60 feet deep) located in the NW 1/4 NE 1/4 Section 15-T3N-R7E.

Enclosed for your records is Receipt No. 08668 in the amount of $50 which you paid for filing the ownership changed. If you have any questions concerning the enclosed water permit, please contact our office.

Sincerely,

Jeanne Goodman

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

enclosure

Please note: Qualification No. 2 requires reporting annually the amount of water withdrawn from the wells each year. Please maintain the appropriate records. A letter is sent from our office after the 1st of each year requesting water use for the prior year.

Schlaak, Karen

From: Matt <Matthawkins9@msn.com>
Sent: Monday, April 30, 2018 3:12 PM
To: Schlaak, Karen
Subject: Re: [EXT] Water Permit No. 1962-1

Yes, this week is what we agreed to on the phone. I have left Teri a voice mail regarding this information and asked her to call you if she had any questions.

Thanks,
Matt

Sent from my iPhone

On Apr 30, 2018, at 1:14 PM, Schlaak, Karen <Karen.Schlaak@state.sd.us> wrote:

> Pursuant to our phone conversation, you indicated you would talk with Terri Talkington about submitting the Notice of Transfer of Ownership on Water Permit No. 1962-1 for the portion of the permit which she owns.
>
> Water Permit No. 1962-1 was issued for 30 gallons per minute (gpm) from 3 wells. You indicated while talking with Ms. Talkington you would see if she was agreeable splitting the permit for 10 gpm for your well (newest well) and 20 gpm for her two wells.
>
> Do you both agree with these amounts?
>
> Ms. Talkington needs to complete the transfer form by filling in her name and address, signing and returning the form with the $50 fee. The permit will then be split into No. 1962A-1 and 1962B-1. She can contact me with any questions.
>
> Karen Schlaak
> SD DENR, Water Rights Program
> (605) 773-3352
> <image001.gif>

1962-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

1962-1
1962A-1

MAY 2 1 2018

Matt Hawkins
23282 Schram Rd
Gretna NE 69028

Dear Mr. Hawkins:

On May 7th, an ownership change was received from Spur Enterprises LLC, c/o Terri Talkington for two of the wells described on Water Permit No. 1962-1. Based on the ownership change, the permit has been divided and reissued as follows:

- **Water Permit No. 1962A-1:** Matt Hawkins, 23282 Schram Rd, Gretna NE 69028 authorizing 0.022 cfs (10 gallons per minute) from one well completed into the Quaternary Age Alluvium Aquifer (30 feet deep) located in the NW 1/4 NE 1/4 Section 15-T3N-R7E.

- **Water Permit No. 1962B-1:** Spur Enterprises LLC, c/o Terri Talkington, 21879 Antelope Creek Rd, Box Elder SD 57719 authorizing 0.045 cfs (20 gallons per minute) from two wells completed into the Quaternary Age Alluvium Aquifer (25 and 60 feet deep) located in the NW 1/4 NE 1/4 Section 15-T3N-R7E.

If you have any questions concerning the enclosed water permit, please contact our office.

Sincerely,

Jeanne Goodman

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

enclosure