

WATER PERMIT NO. 1976-1

Name of Applicant: **Brad LaLonde**

Address: **19876 Gobbler Rd, Spearfish SD 57783**

Phone: **605 645-7629**

Amount of Water Claimed: **0.044 cfs**

Total Acres: **NA**

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

Water to be used for: **commercial**

County: **Lawrence**

Type of Waste Disposal System:

Location: **north of Spearfish along 1-90**

PRIORITY

Date Received: **3-2-18**

Application/License Fee: **\$ 100**

Corrected Application Received:

Period of Annual Use: **Jan 1- Dec 31**

Remarks: **Water Permit No. 1957-1 was issued for same well into a shallower aquifer. Well was completed into the Minnehahta**

Diversion Point: **SW 1/4 NW 1/4 Sec 33-T7N-R2E**

Land to be Irrigated: **NA**

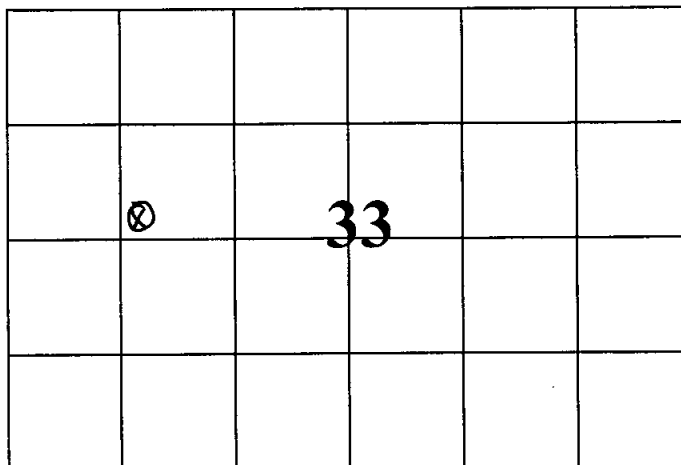
Depth of Well: **345 feet deep**

Well Driller: **Heaton Drilling**

Remarks:

Type of Map: **aerial**

Prepared by:



Reviewed and the Number Assigned on: **3-2-18**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>1976-1</u> (office use only) Hydrologic Unit <u>10120203</u>
	Basin <u>Belle Fourche River</u>
	Newspaper <u>Black Hills Pioneer</u> <u>642-2761</u>

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MAR 02 2018

WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

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. <u>1957-1</u>		

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

Well is in deeper formation

- Name to Appear on Water Permit Brad Lalonde Diversified Const. Services
 Mailing Address 19876 Gobbler Rd Spearfish SD 57783
(Address) (City) (State) (Zip Code)
 Phone 605-639-9916 Mobile 605-645-7629 Email brad.dcs@gmail.com
angieb.dcs@gmail.com
- Amount of water claimed 0.044 *CFS or 20 **GPM and ***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)
- Source of water supply Minnekahta
- Location of point of diversion SW 1/4 Sec 33 Twp 7N Rg 2E County Lawrence
(example - 3 wells in SW 1/4 NE 1/4 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 - NW 1/4 section 12-T104N-R53W)
- County or counties where water will be used Lawrence
- Annual period during which water is to be used calendar year 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)

See permit 1957-1

I, Brad Lalonde, the applicant, certify under
Name of Person Title (if applicable)

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.

**SOUTH DAKOTA
WATER PERMIT NO. 1976-1**

Date of first receipt of application March 2, 2018.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1976-1 to Brad LaLonde, Diversified Construction Services, 19876 Gobbler Rd, Spearfish SD 57783 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. 1976-1 appropriates 1.0 acre-feet of water annually at a maximum pump rate of 0.044 cubic feet of water per second from one well completed into the Minnekahta Aquifer (345 feet deep) located in the SW 1/4 NW 1/4 Section 33-T7N-R2E. This site is located north of Spearfish along I-90.
2. The water appropriated shall be used for the purpose of 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. 1976-1 is May 29, 2018.
5. The date from which applicant may claim right is March 2, 2018.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Minnekahta aquifer.
3. Water Permit No. 1976-1 authorizes a total annual diversion of 1.0 acre foot of water.
4. Approval of Water Permit No. 1976-1 cancels Water Permit No. 1957-1.

WATER MANAGEMENT BOARD

By: *Jeanne Goodman*
Jeanne Goodman, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

JUN 11 2018

date



1:12522

Meters

Overview Map

Quick Search

Lat Lon

Clear

PARCEL ID

OWNER

911 ADDRESS

ROAD NAME

SECTWPRNG

LEGAL

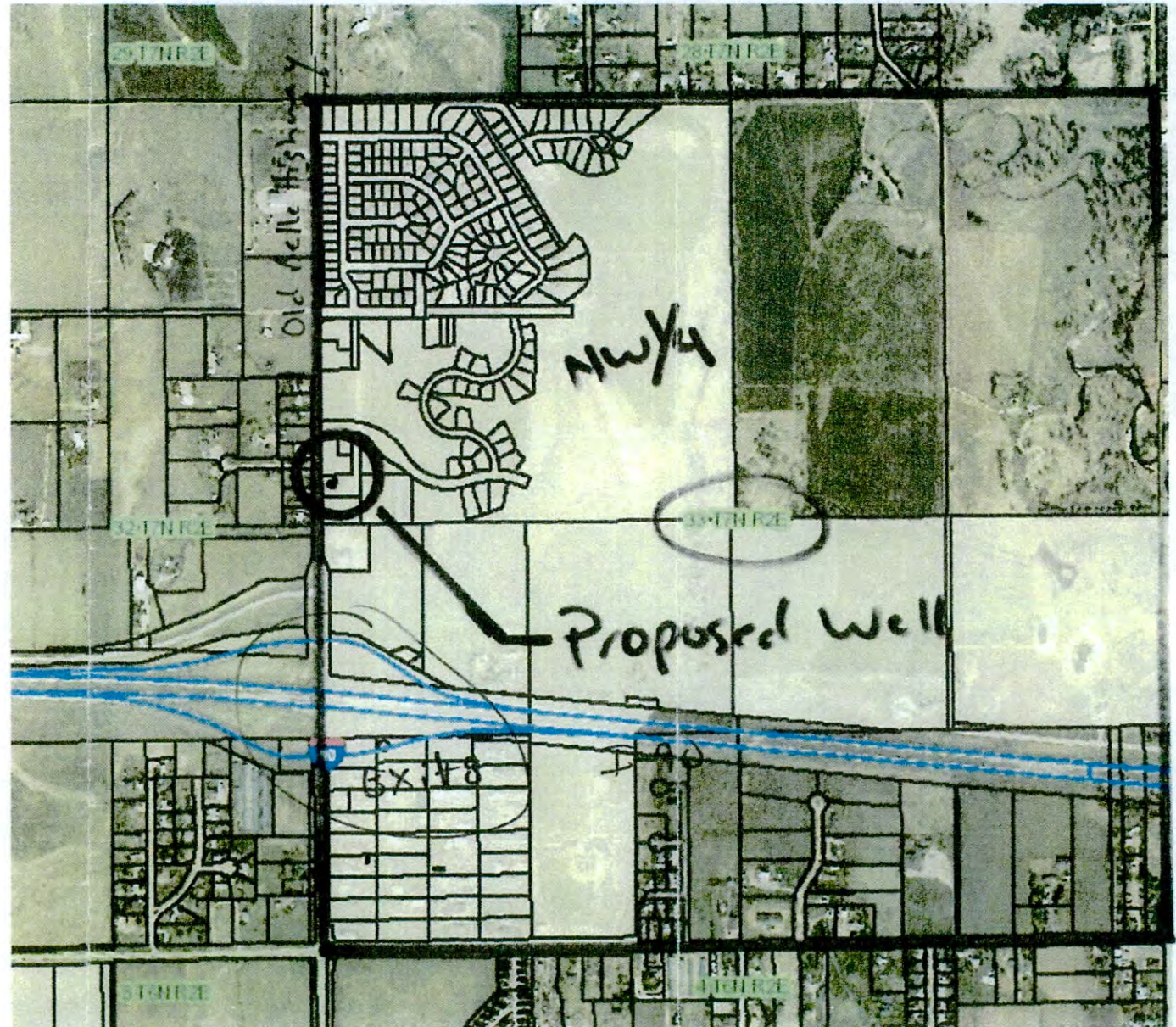


Advanced Search

Search Builder

Coordinate Search

Comparable Search



Excel 2000/2003

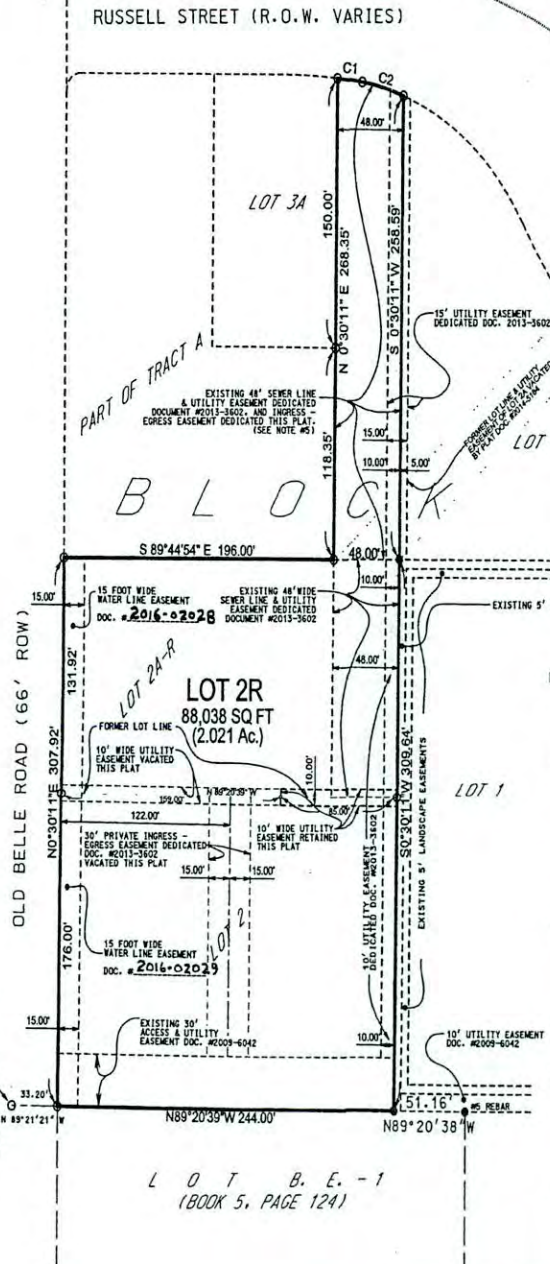
Results

Display Label

PLAT OF LOT 2R OF BLOCK 14 OF THE RESERVE ON HIGGINS CREEK, HIGGINS CREEK ADDITION TO THE CITY OF SPEARFISH, LAWRENCE COUNTY, SOUTH DAKOTA

FORMERLY LOT 2 AND LOT 2A-R OF BLOCK 14 OF THE RESERVE ON HIGGINS CREEK, HIGGINS CREEK ADDITION TO THE CITY OF SPEARFISH, LAWRENCE COUNTY, SOUTH DAKOTA, SITUATED IN THE NW1/4 OF SECTION 33, T7N, R2E, BHM

Sheet 1 of 2



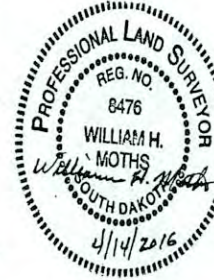
Curve Table					
Name	Radius	Arc Length	Delta	Chord Length	Chord Direction
C1	365.00	17.91	2°48'38"	17.90	S 82°34'15" E
C2	165.00	31.16	10°49'18"	31.12	S 75°45'17" E



- FOUND #5 REBAR W/ALUM CAP - LS 3328 OR MONUMENT AS NOTED
- FOUND #5 REBAR W/ALUM CAP - LS 8476

Notes:

1. Basis of Bearings: Bearings are referred to the boundary lines of Tract A as shown on the Plat of Tract A as recorded in Document #2007-4993.
2. The following are the reference documents used in the creation of this Plat:
 - a. The Plat of Lot 2 of Block 14 is recorded in Document #2013-3602.
 - b. The Plat of Lot 2A-R of Block 14 is recorded in Document #2014-5184.
 - c. The Plat of Lot 1 of Block 14 is recorded in Document #2009-6042.
 - d. The Plat of Lot 3A and Lot 4 of Block 14 is recorded in Document #2015-1461.
 - e. The Plat of the Right-Of-Way of Russell Street is recorded in Document #2014-5264.
3. The property shown on this Plat is subject to Zone X (unshaded) Special Flood Hazard areas as shown on the Flood Insurance Rate Map of Lawrence County, South Dakota and Incorporated areas. Community Panel Number 4600460042F, effective date April 17, 2012. Revised by Letter of Map Revision (LOMR) 13-08-0834P, effective Feb. 12, 2014.
4. Unless previously dedicated, a 5' wide utility easement is hereby dedicated along the interior side of all lot lines created by this plat.
5. A 48' wide Ingress and Egress Easement for the benefit of the owners of Lot 3A, Lot 4 and a Part of Tract A, their successors and assigns, extending from Russell Street to a point common with the SW Corner of Lot 4 and the NW Corner of Lot 1 of Block 14. This Easement is for pedestrian and vehicular traffic. This Easement shall be maintained by the Owners of the Lots benefited by the access.
6. Total area this plat: 88,038 Sq. Ft. (2.021 acres).



Prepared By:

Surveyed By: WHM Date: 3/18/2016
 Drawn By: WHM Date: 3/20/2016
 Checked By: WHM Date: 4/14/2016
 Project Number: L16-16-024

INTERSTATE ENGINEERING
 P.O. Box 226
 123 E. Jackson Blvd. Suite 1
 Spearfish, SD 57783
 Office: (605) 642-4772
 Fax: (605) 642-4773
 www.interstateeng.com

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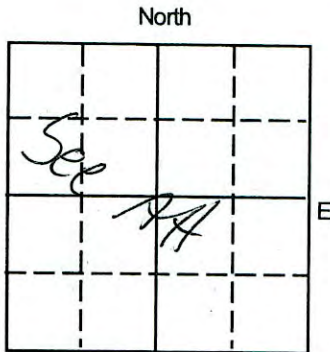
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SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW 1/4 Sec 33 Twp 7N Rg 2E

County Lawrence



Please mark well location with an "X"

Well completion Date

FEB 2 2017

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

? 200 ft. from Septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Air Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200 LB/FT</u>	<u>5 1/2 IN</u>	<u>+18 FT</u>	<u>298 FT</u>	<u>7 1/8 IN</u>
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Type II</u>	<u>45</u>	<u>6-1 Lb/gal</u>	<u>0 Ft</u>	<u>298 Ft</u>
		Lb/gal	Ft	Ft

Describe grouting procedure pressure method

SCREEN:

☐ Perforated pipe ☐ Manufactured
 Diameter _____ Inches Length _____ Feet
 Material _____
 Slot Size _____ Set From _____ Feet to _____ Feet
 Other information _____

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Clay tabs
☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner:

Business Name:

Address:

City, State, Zip:

Brad Lalonde

Diversified

Spearfish S.D 57783

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Ground</u>	<u>0</u>	<u>50</u>
<u>Spearfish</u>	<u>50</u>	<u>299</u>
<u>Minnekahta Limestone</u>	<u>299</u>	<u>334</u>
<u>Apache Shale</u>	<u>334</u>	<u>345</u>

STATIC WATER LEVEL

Flow FEET
 If flowing: closed in pressure 15 1/2 PSI
 GPM flow 18 through 1" Inch pipe
 Controlled by ☒ Valve ☐ Reducers ☐ Other
 Reduced flow rate 0 GPM
 Can well be completely shut in? yes

WELL TEST DATA:

☐ Pumped Describe: Air Development
☐ Bailed @ 160 ft 30 bpm
☒ Other

Pumping Level Below Land Surface

Ft. After	Hrs. pumped	GPM

If pump installed, pump rate: _____ GPM

REMARKS

Minnekahta Am
 This well was drilled under license # 197
 And this report is true and accurate.

Drilling firm:

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

523 E Capitol Ave. Pierre SD 57501

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WATER RIGHTS PROGRAM

Please return **WHITE COPY** to: DENR Water Rights

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 2 1, 2018

RECEIVED OF Diversified Construction Services 19886 Gobbler Rd Spearfish, SD 57783

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

Fee for Application for Permit No. <u>197760-1</u> 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. _____		
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	1001	00

No. 08611

By Jeanne Goodman
Chief Engineer vm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 22, 2018

Brad Lalonde
19876 Gobbler Rd
Spearfish SD 57783

Dear Mr. Lalonde:

On January 22, 2018 we received a well completion report from Heaton Drilling for a well completed for you on February 2, 2017 (copy enclosed). A review of our file indicates Water Permit No. 1957-1 authorizes 20 gallons per minute from one well completed into the Quaternary Age Alluvium Aquifer (60 feet deep) for commercial use.

Mr. Lalonde, is this an additional well for your commercial use? Water permits are issued by water source. The new well (345 feet deep) was completed into the deeper Minnekahta Aquifer. If the new well is for commercial use, an additional water permit will be required for this well since it is located in a different water source.

Enclosed are application forms and an instruction sheet to apply for a water permit. The completed forms with the application fee and map can be returned to the "Water Rights Program, 523 E Capitol, Pierre SD 57501.

Please contact Eric Gronlund or me at (605) 773-3352 if you have any questions.

Sincerely,

Karen Schlaak
Water Rights Program
karen.schlaak@state.sd.us

enclosure

Schlaak, Karen

From: Gronlund, Eric
Sent: Tuesday, February 27, 2018 9:54 AM
To: Schlaak, Karen
Subject: 1957-1, Brad Lalonde

We sent him a letter based on a well completion report for Minnekahta well.

Mr. Lalonde holds WP 1957-1 for a well to be completed into quaternary alluvium. Driller actually developed well into the Minnekahta. Mr. Lalonde thought that the driller had taken care of the permitting issue. He will be filing application to get the proper permitting in place. This is the only well used for his commercial use.

Told him the application filing fee for 20 gpm will be \$100. We can apply the licensing fee paid on No. 1597-1 to this application. Ultimately with approval of the new application, No. 1597-1 will be cancelled.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

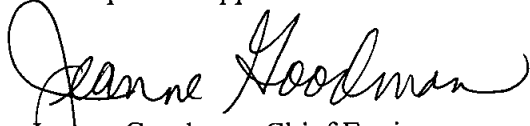
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1976-1, Brad LaLonde**

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. 1976-1, Brad LaLonde, 19876 Gobbler Road, Spearfish SD 57783.

The Chief Engineer is recommending APPROVAL of Application No. 1976-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Minnekahta aquifer.
3. Water Permit No. 1976-1 authorizes a total annual diversion of 1.0 acre foot of water.
4. Approval of Water Permit No. 1976-1 cancels Water Permit No. 1957-1.

See report on application for additional information.


Jeanne Goodman, Chief Engineer
May 7, 2018

REPORT TO THE CHIEF ENGINEER
Water Permit Application No. 1976-1
Brad LaLonde, Diversified Construction Services
April 24, 2018

Water Permit Application No. 1976-1 seeks to appropriate 1.0 acre-feet of water annually at a maximum diversion rate of 0.044 cubic feet per second (cfs) for commercial use from the Minnekahta aquifer. This application is a result of the well for Water Permit No. 1957-1 being completed at a greater depth and into a different aquifer than the permit was originally issued for. The well was cased to a depth of 298 feet and completed with an open hole into the Minnekahta formation. This diversion is located within the city limits of Spearfish, SD in the SW ¼ NW ¼ Section 33-T7N-R2E and approximately 2.9 miles northwest of downtown.

AQUIFER: Minnekahta (MNKT)

HYDROGEOLOGY

In the Black Hills area, the major aquifers lie within the Deadwood Formation, Madison Limestone, Minnelusa Formation, Minnekahta Limestone, and the Inyan Kara Formation (Driscoll and Carter, 2001). Individually, these aquifers are separated by relatively impermeable layers within the formations or by confining units between the formations. Although these are distinct aquifers that rely on the lateral component of groundwater movement, extremely variable leakage can occur between the aquifers (Driscoll and Carter, 2001).

The Minnekahta Limestone is a grayish-pink, laminated limestone approximately 40 feet thick. From the well log submitted to the Water Rights Program (2018b) for this application, the Minnekahta Limestone was found at a depth of 299 feet with a thickness of 35 feet. At the time of completion (02/02/2017), this well had 15 pounds per square inch of pressure, with an indicated 18 gallons per minute of flow through a valved 1 inch pipe, demonstrating that the aquifer in this location is under confined conditions. In the area of this application, the direction that the groundwater travels in the Minnekahta aquifer is to the north-northeast (Strobel et al., 2000).

The Minnekahta aquifer is areally extensive and underlies 15,960,320 acres in western South Dakota with 39,900,800 acre-feet of recoverable water in storage (Allen et al., 1985). In Lawrence County, the Minnekahta aquifer underlies a quarter of the county, with an area of 126,080 acres and 315,200 acre-feet of recoverable water in storage (Allen et al., 1985).

Several large springs occur in this general area, with six identified springs located within two miles of the applicant's location (U.S. Geological Survey, 2018). Of the identified springs, the two large springs are locally known as "Old Spearfish Hatchery Spring" and "Higgins Gulch Spring". Klemp (1995) analyzed the water chemistry at these springs and determined that Old Spearfish Hatchery Spring vents Madison type water that has been highly influenced by Minnelusa water and that the Higgins Gulch Spring vents Madison type water with very little Minnelusa influence. Both of these springs are located in the Spearfish Formation outcrop, approximately halfway between the outcrops of the Minnekahta Formation and the Inyan Kara Group. In order for water from the Madison and Minnelusa aquifers to reach the Spearfish

Formation, the water would have to travel through the Minnekahta Formation. This same process occurs at many of the major springs in the Black Hills. The path that this water travels through the Minnekahta Formation has not been extensively studied, however many breccia pipes and karst features have been identified in the Minnekahta Formation throughout the Black Hills.

South Dakota Codified Law 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 within the Minnekahta aquifer.

WATER AVAILABILITY

The probability of unappropriated water 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 than or stratigraphically lower than the Greenhorn Formation and a water distribution system as defined in SDCL 46-1-6 (17) has applied for a permit, the Board need not take into consideration the balance of aquifer recharge and withdrawal. Although the Minnekahta aquifer is older and stratigraphically lower than the Greenhorn Formation, the proposed use is not a water distribution system and the discussion on recharge/withdrawals from the aquifer is included below.

Hydrologic Budget

Recharge

Recharge to the Minnekahta aquifer is through infiltration of precipitation where the formation outcrops around the Black Hills. It is also likely the Minnekahta aquifer gains some recharge from upward leakage from the Madison and Minnelusa aquifers. The average annual recharge to the Minnekahta aquifer has not been quantified, however the precipitation component of the recharge from the Black Hills outcrop area in South Dakota was estimated to be 6,500 acre-ft per year by Driscoll and Carter (2001) using data from 1950-1998. This estimate was only for the Minnekahta aquifer that outcrops in South Dakota, so there may be additional recharge in other parts of the Minnekahta aquifer from precipitation at outcrops in other states.

Discharge

Currently there are 30 water rights/permits appropriating water from the Minnekahta aquifer in South Dakota (Water Rights, 2018a). These are displayed in Table 1, and the water rights/permits that are near the applicant's location are shown in Figure 1. The amount of water that can be expected to be withdrawn can be estimated by assuming water rights/permits limited by an annual volume will pump the entire volume appropriated annually, water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time, and future use permits will eventually be fully developed.

There are a number of domestic wells on file that withdraw water from the Minnekahta aquifer, however the magnitude of their withdrawals is small (Water Rights, 2018b). The annual quantity of water withdrawn for domestic uses is considered to not be significant to the hydrologic budget of the aquifer.

Table 1: Water rights/permits authorized to withdraw water from the Minnekahta aquifer including estimated annual volume pumped (Water Rights, 2018a)

PERMIT NO.	NAME	COUNTY	STATUS	USE	CFS	ACRES	ESTIMATED ANNUAL PUMPAGE (AC-FT)
439-1	BILLY J EVANS	LA	LC	IRR	2.22	302.05	**
515-2	BLACK HILLS CORPORATION	PE	LC	IND	0.39	N/A	169.4
647-1	MC GUIGAN DAIRY INC	LA	LC	IRR	0.40	94	**
673-1	DENNY BRENGLE	LA	LC	IRR	0.16	15	**
1118-1	JH & P INVESTMENTS LLC	LA	LC	COM	0.49	N/A	212.6
1129-1	RAND & GAYLA WILLIAMS	LA	LC	COM	0.10	N/A	43.4
1147-2	ROBERT & MARGURETTE BEYERS	PE	LC	SHD/COM	0.08	N/A	34.8
1164-1	WESTVIEW SUBDIVISION	LA	LC	SHD	0.06	N/A	26.1
1184-1	DON L SMITH	LA	LC	COM	0.10	N/A	43.4
1194-1	SPEARFISH FAIRGROUND	LA	LC	IND/COM	0.20	N/A	86.9
1265-1	HAROLD R & TAMMY C KARLSON	LA	LC	COM	0.45	N/A	195.5
1336-1	PIEDMONT SENIOR CITIZENS CENTER	MD	LC	INS	0.10	N/A	43.4
1489-1	LEONARD WALES	LA	LC	SHD	0.05	N/A	21.7
1541-1	AUTOMATIC VENDORS INC	MD	LC	COM	0.04	N/A	17.4
1620-1	BETH MATHIS	LA	LC	SHD	0.036	N/A	15.6
1636-1	WAYNE LINDSTAD	LA	LC	COM/DOM	0.39	N/A	169.4
1651-1	STAGEBARN HOUSING CENTER	MD	LC	COM	0.022	N/A	9.6
1660-1	GFK INC	MD	PE	COM	0.022	N/A	9.6
1681-1	JOHN & CONNIE NIEHAUS	LA	LC	COM/DOM	0.036	N/A	15.6
1704-1	MIKE & DEBIE PALMER	MD	LC	IRR	0.44	11	**
1739-1	SPEARFISH MEADOWS HOMEOWNERS	LA	LC	SHD	0.111	N/A	48.2
1811-1	BUTTE ELECTRIC COOPERATIVE INC	LA	LC	COM	0.011	N/A	4.8
1833-1	HAIAR ENTERPRISE INC	LA	LC	IRR	1.56	166	**
1893-2	WINDMILL TRUCK STOP	PE	LC	COM	0.10	N/A	43.4
1902-1	LOUP LAND DEVELOPMENT	LA	LC	SHD	0.089	N/A	39.0
1925-1	BOULDER CANYON COUNTRY CLUB	LA	LC	COM	0.03	N/A	13.0
2177-2	SUPERIOR TRUCK WASH INC	PE	LC	COM	0.047	N/A	20.4
2190-2	CHURCH OF JESUS CHRIST OF LDS	FR	LC	IRR	0.088	1.5	**
2422-2	HOT SPRINGS SCHOOL DISTRICT	FR	LC	IRR	0.088	6.22	**
2756-2	CHAD GOLLNICK	PE	LC	COM/DOM	0.027	N/A	1.50*
SUMMARY							
30	No. of Water Rights/Permits	Non-Irrigation Estimated Annual Pumpage				1,284.7	
		Acres Permitted for Irrigation				595.77	
FR = Fall River, LA = Lawrence, PE = Pennington							
LC = Water Right, PE = Water Permit							
COM = Commercial, DOM = Domestic, IND = Industrial, INS = Institutional, IRR = Irrigation, SHD = Suburban Housing Development							
* = Limited to an Annual Volume ** = Irrigation Questionnaire							

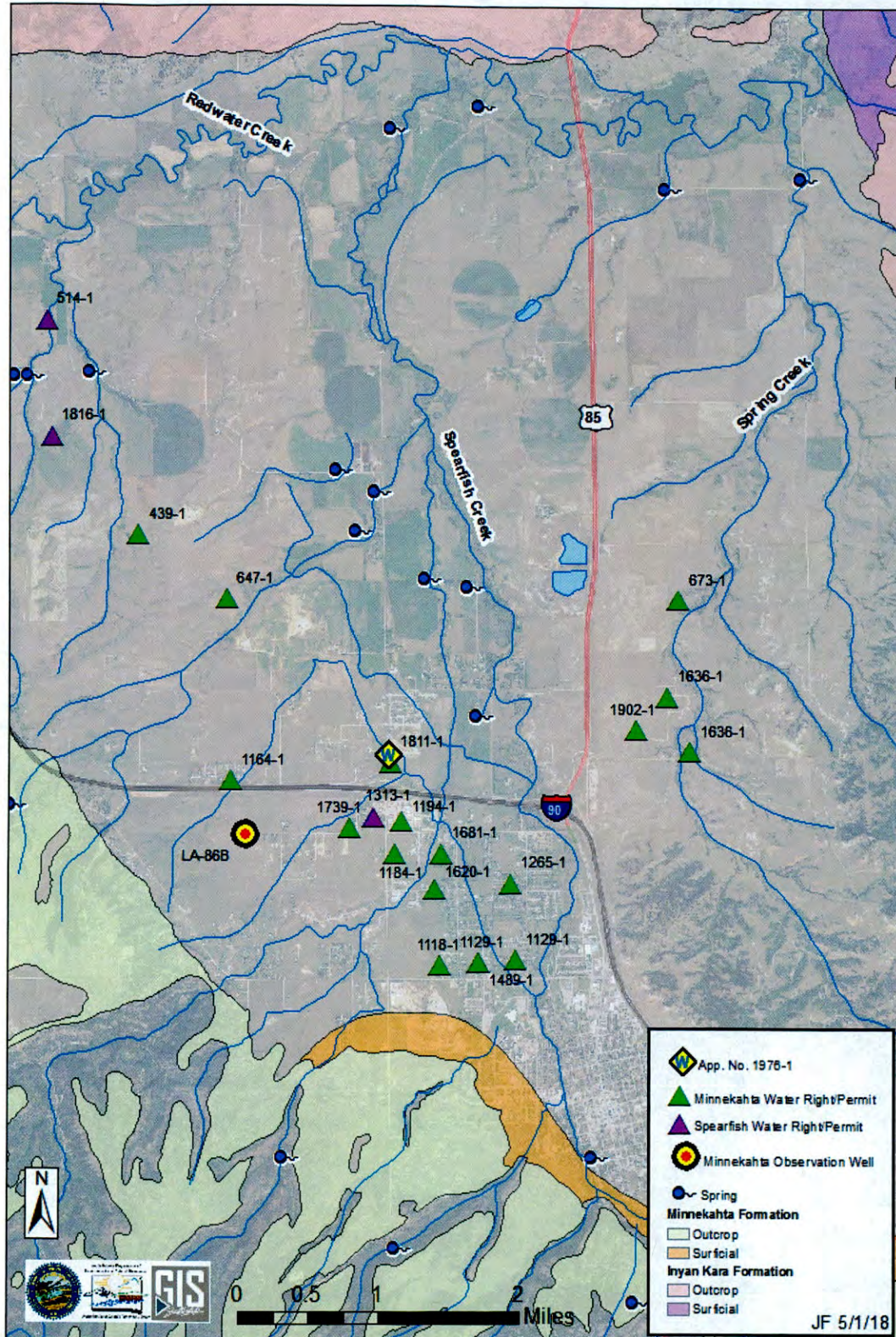


Figure 1: Map showing the location of this application and nearby water rights/permits completed into the Minnekahta and Spearfish aquifers. (Carter and Redden, 1999a; Carter and Redden, 1999b; U.S. Geological Survey, 2018; Water Rights, 2018a; Water Rights, 2018c)

Irrigation data from 2017 is not yet complete for the water rights/permits in the Minnekahta aquifer, so irrigation data from 2016 is the most recent full year of data. Irrigation data from 2016 shows that there were seven water rights/permits that were permitted for irrigation (Water Rights, 2018d). These water rights/permits appropriated 1,768.59 acre-ft of water in 2016, however the actual usage is much less. Figure 2 shows the acres permitted for irrigation from 1982 to 2016 and the yearly total reported pumpage for the irrigation permits.

The period from 1982 to 2016 was relatively steady in terms of permitted acres for irrigation. The overall average of the permitted acres from 1982 to 2016 is 620 acres. Over this time period, the average reported irrigation pumpage is 281.4 acre-ft, with a reported minimum of 42.5 acre-ft and maximum of 451.8 acre-ft.

The estimated withdrawals are 1,284.7 acre feet for non-irrigation uses and 281.4 acre feet for irrigation, resulting in a total estimated average annual use of 1,566.1 acre-feet per year.

Hydrologic Budget

The estimated annual recharge to the Minnekahta aquifer from precipitation on the outcrop in South Dakota is 6,500 acre feet per year, and the estimated annual discharge is 1,566.1 acre feet per year. This application, if approved, will increase the estimated average annual withdrawal from the Minnekahta aquifer in South Dakota by 1.0 acre-feet to approximately 1,567.1 acre feet per year. These estimates show that discharge is less than recharge, indicating that there is a reasonable probability that unappropriated water is available in the Minnekahta aquifer to support the proposed appropriation.

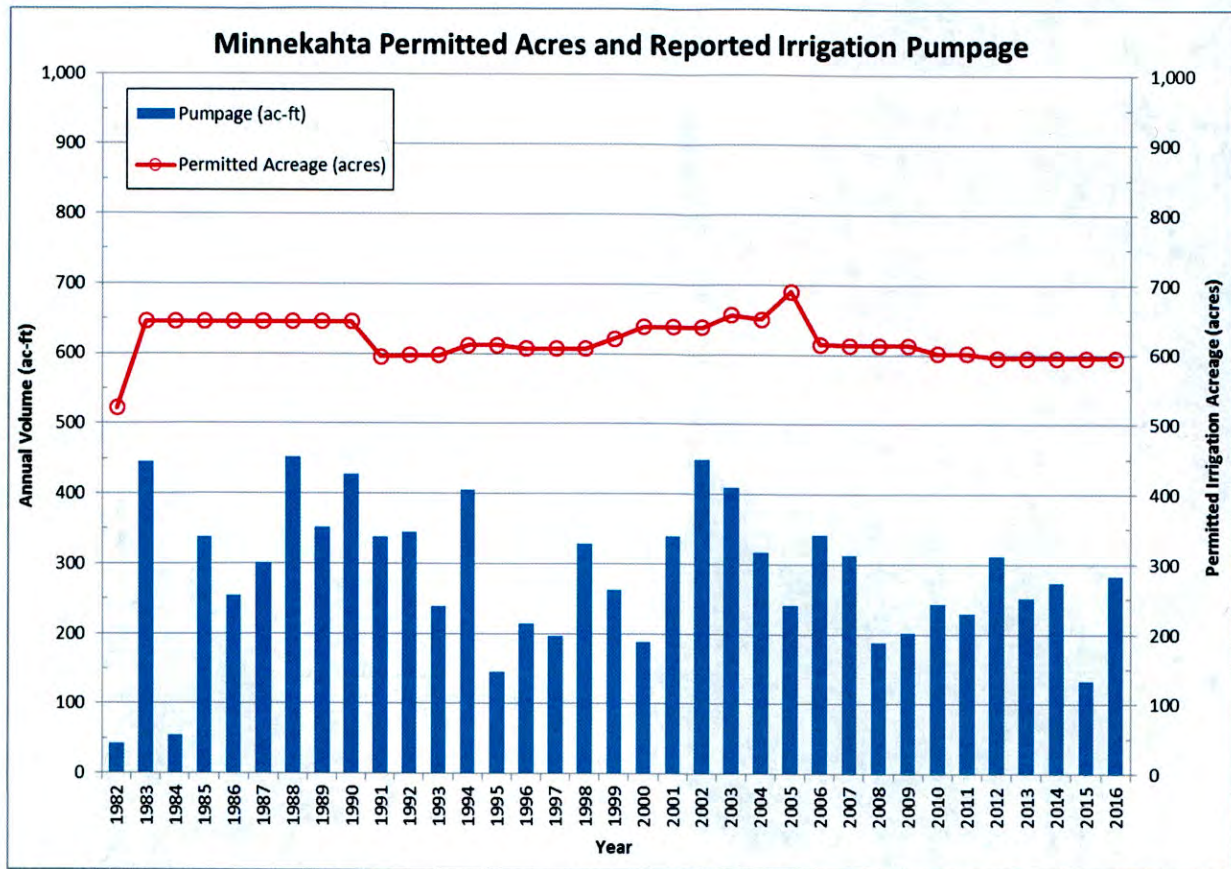


Figure 2: Acres permitted for irrigation and reported irrigation pumpage from the Minnekahta aquifer (Water Rights 2018a, Water Rights 2018d)

Observation Well Data

The Water Rights Program monitors four observation wells completed in the Minnekahta aquifer (Water Rights, 2018c). The nearest observation well is LA-86B, located approximately 1.2 miles to the southwest of the well location. The hydrograph for LA-86B is shown in Figure 3 and shows that over the period of record, the static water level has fluctuated from 70 to 145 feet below the top of the well casing. The next nearest observation well is LA-94A, located approximately 5.8 miles to the west of the well location. The hydrograph for LA-94A is shown in Figure 4 and shows that the artesian pressure at this well has fluctuated between 65 and 115 feet above the height of the pressure gage affixed to the well. Both of these observation wells are under confined conditions and are reflective of the Minnekahta aquifer near the outcrop. These two hydrographs show that over their period of record, the artesian head pressure near the area of the observations wells has fluctuated on the order of tens of feet. The natural variation in the Minnekahta aquifer shows that the 1.0 ac-ft/yr of water that this application proposes to appropriate is not significant to the overall hydrologic budget of the aquifer.

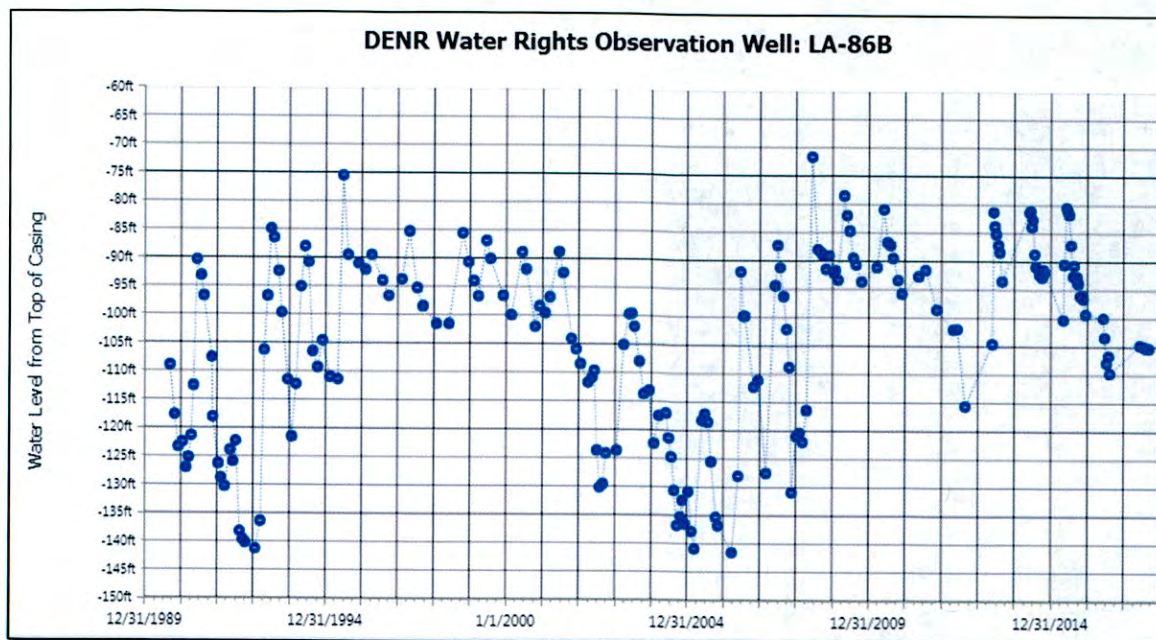


Figure 3: Hydrograph for Observation Well LA-86B (Water Rights, 2018c)

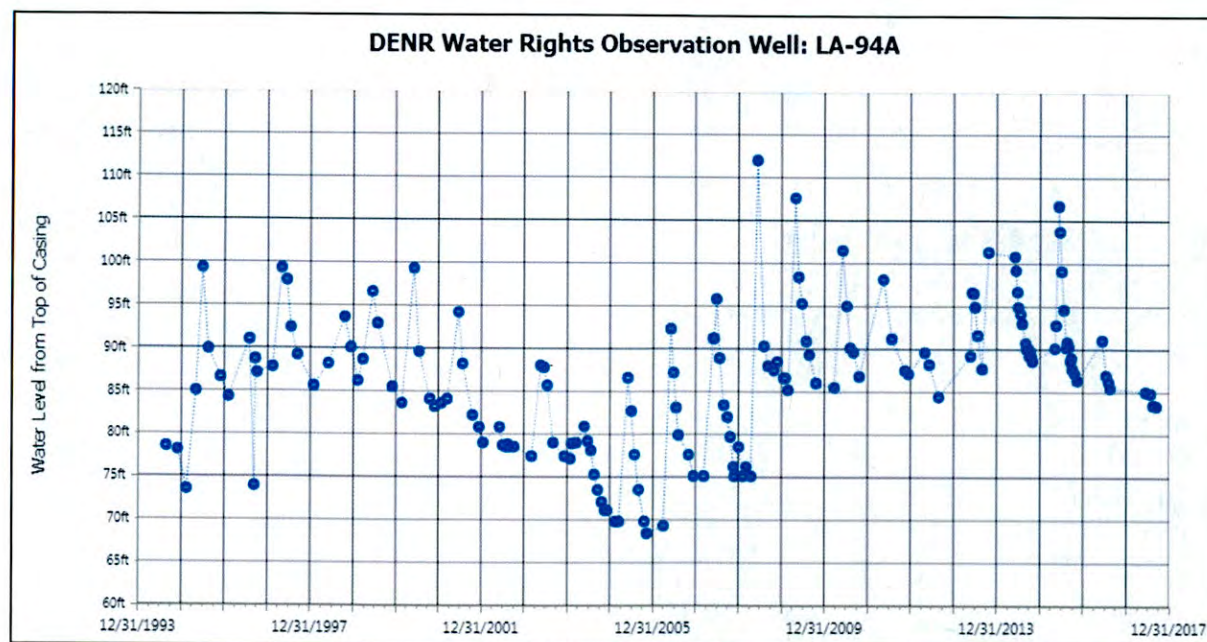


Figure 4: Hydrograph for Observation Well LA-94A (Water Rights, 2018c)

EXISTING WATER RIGHTS

The nearest existing water right/permit completed in the Minnekahta aquifer is located less than 500 feet to the south of the applicant's location (Water Rights, 2018a). This is Water Right No. 1811-1 for Butte Electric Cooperative, Inc. and is used for commercial use at a maximum diversion rate of 0.011 cfs (5 gpm). The next nearest water rights/permits in the Minnekahta aquifer are located approximately one half mile south of the applicant's location. There are several domestic wells on record with the Water Right Program within one mile of the applicant's location that are completed into the Minnekahta aquifer (Water Rights, 2018b).

Given the distance to this well and an annual diversion rate similar to the expected use of a domestic well, the drawdown affecting nearby water rights/permits and domestic users as a result of pumping is not expected to be significant.

The Minnekahta aquifer is generally an artesian aquifer, and due to the physics of artesian head pressure, the drawdown from pumping may extend a considerable distance from the pumped well. SDCL 46-6-6.1 does not protect artesian head pressure as a means of delivery and the Water Management Board has consistently recognized that to place water to maximum beneficial use, a certain amount of drawdown may occur. In order to balance interests between irrigation use and delivery of water by artesian pressure, the Water Management Board defined an “adversely impacted domestic well” in ARSD 74:02:04:20(7) 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”

Depending on the specific characteristics of the Minnekahta aquifer at the well site proposed by this application, some existing well owners may need to lower their pumps to accommodate for deeper water levels.

CONCLUSIONS

1. Water Permit Application No. 1976-1 proposes to appropriate 1.0 acre-feet of water per year at a maximum diversion rate of 0.044 cfs for commercial use from a well (345 feet deep) completed in the Minnekahta aquifer.
2. Approval of this application will not result in the average annual withdrawals from the Minnekahta aquifer to exceed the average annual recharge to the aquifer. There is a reasonable probability that unappropriated water is available for the proposed application.
3. The Minnekahta aquifer is a viable aquifer and is found under confined conditions in the area of the existing well.
4. There is a reasonable probability that the withdrawals proposed by this application will not adversely impact adequate wells for existing water rights and domestic users.



John Farmer
SD DENR – Water Rights Program

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 Resource Inventory. Final Report. U.S. Army Corps of Engineers Contract DACW 45-82-C-0151.
- Carter, J.M. and Redden, J.A., 1999a. Altitude of the Top of the Inyan Kara Group in the Black Hills Area, South Dakota. Hydrologic Investigations Atlas HA-744-A, scale 1:100,000. U.S. Geological Survey.
- Carter, J.M. and Redden, J.A., 1999b. Altitude of the Top of the Minnekahta Limestone in the Black Hills Area, South Dakota. Hydrologic Investigations Atlas HA-744-B, scale 1:100,000. U.S. Geological Survey.
- Discoll, D.G., and Carter, J.M., 2001. Hydrologic Conditions and Budgets for the Black Hills of South Dakota, Through Water Year 1998. Water-Resources Investigations Report 01-4226. U.S. Geological Survey.
- Klemp, J.A., 1995. Source Aquifers for Large Springs in Northwestern Lawrence County, South Dakota. Unpublished M.S. Thesis, South Dakota School of Mines and Technology, Rapid City, SD.
- Strobel, M.L., Galloway, J.M., Hamade, G.R., and Jarrell, G.J., 2000. Potentiometric Surface of the Minnekahta Aquifer in the Black Hills Area, South Dakota. Hydrologic Investigations Atlas HA-745-B, scale 1:100,000. U.S. Geological Survey.
- U.S. Geological Survey, 2018, National Water Information System data available on the World Wide Web (USGS Water Data for the Nation), accessed May 1, 2018, at <https://maps.waterdata.usgs.gov/mapper/index.html>.
- Water Rights, 2018a. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights, 2018b. Well Completion Report Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights, 2018c. Observation Well Database. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights, 2018d. Irrigation Questionnaire Database. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, May 07, 2018 3:40 PM
To: Legals (legals@bhpioneer.com)
Subject: 1976-1, Brad LaLonde
Attachments: 1976-1public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on May 17, 2018.

Brad LaLonde, Diversified Construction Services, 19876 Gobbler Rd, Spearfish SD 57783 (605 639-9916 or 605 645-7629) 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





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 RIGHT AWAY.**

May 8, 2018

Brad LaLonde
Diversified Construction Services
19876 Gobbler Rd
Spearfish SD 57783

Dear Mr. LaLonde:

Water Permit Application No. 1976-1 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 Black Hills Pioneer printed at Spearfish SD (Ph # 605-642-2761). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization 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.

NOTICE OF APPLICATION NO. 1976-1 to Appropriate Water

Notice is given that Brad LaLonde, Diversified Construction Services, 19876 Gobbler Rd, Spearfish SD 57783 has filed an application for a water permit to appropriate 1.0 acre-feet of water annually at a maximum pump rate of 0.044 cubic feet of water per second from one well completed into the Minnekahta Aquifer (345 feet deep) located in the SW 1/4 NW 1/4 Section 33-T7N-R2E for commercial use. This site is located north of Spearfish along I-90.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1976-1 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 May 29, 2018.

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 _____.

RECEIVED

MAY 23 2018

WATER RIGHTS
PROGRAM

NOTICE OF
APPLICATION NO.
1976-1 to Appropriate
Water

Notice is given that Brad LaLonde, Diversified Construction Services, 19876 Gobbler Rd, Spearfish SD 57783 has filed an application for a water permit to appropriate 1.0 acre-feet of water annually at a maximum pump rate of 0.044 cubic feet of water per second from one well completed into the Minnekahta Aquifer (345 feet deep) located in the SW 1/4 NW 1/4 Section 33-T7N-R2E for commercial use. This site is located north of Spearfish along I-90.

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Steven M. Pinner,
Secretary,
Department of
Environment and
Natural Resources.

Published once at the
total approximate cost of
\$25.87.

#437
May 17

Affidavit of Publication

STATE OF SOUTH DAKOTA:

COUNTY OF LAWRENCE:

Letitia Lister of said County and State being first duly sworn, on her oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Letitia Lister, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and that I, Letitia Lister, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice Of Application
No. 1976-1

a printed copy of which is hereto attached, was printed and published in said newspaper for 1 successive and consecutive weeks, the first publication being made on the 17th day of May, 2018, and the last publication on the day of , , that the full amount of fees charged for publishing same, to-wit: The sum of \$25.41, insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this 21st day of May, 2018



Notary Public, Butte County, South Dakota
My commission expires: 3-21-2023



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 11 2018

Brad LaLonde
Diversified Construction Services
19876 Gobbler Rd
Spearfish SD 57783

Dear Mr. LaLonde:

Enclosed is Water Permit No. 1976-1 authorizing the 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,

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

enclosures

Note: Approval of Water Permit No. 1976-1 cancels Water Permit No. 1957-1.

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 1976-1

I have this day, September 5, 2018 made a thorough examination of the water use system constructed by **Brad LaLonde, Diversified Construction Services, 19876 Gobbler Rd, Spearfish, SD 57783** of Permit No. **1976-1**, bearing the priority of 3/2/2018 authorizing the diversion of .044 cu. ft. per second of the water from one well for **commercial** purposes, in **Lawrence** County.

Inspection contact & relationship to permit holder,
if applicable:

Brad LaLonde, owner
605 -639-9916

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Heaton Drilling (Feb 2017)
- 2) No. of Wells 1
- 3) Depth(s) 345 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 5 ½ "
- 2) Length 298 feet
- 3) Type PVC

Screen:

- 1) Type open hole
- 2) Length 47 feet
- 3) Static water level flowing (18 gpm at completion)

Pump:

- 1) Make unknown
- 2) Model 15 gpm rated
- 3) Size 4"
- 4) Capacity 20 GPM
- 5) Horsepower rating 3/4 hp (est.)

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

The well is located on the lot occupied by Premier Surfaces. Plastic supply lines serve the commercial building. The pump is controlled with a 40/60 psi. pressure switch and pressure tank.

C. Works used to apply water to beneficial use:

The well provides water for operation of a CNC controlled granite cutting and polishing machine. The building is also supplied with water from the City of Spearfish for domestic use. Water for the in-floor heat in the building is part of a closed system.

D. Compliance with Permit Requirements:

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

E. Condition and Location:

1. The system is in good condition with the point of diversion located as follows:
2,258' S and 214' E of the NW corner Section 33 T7N R2E (44.526098, -103.889525)
2. The works are capable of diverting and conveying to the place of use **0.044** cu. ft. per second (20 gpm) of water which is to be used for **commercial** use and the license should be issued for **0.044** cfs.
3. All structures, wells and lands on map: **Yes**

F. Comments or other permit(s) associated with the project: none



Steven Quissell
Water Rights Inspector
DENR, Water Rights Program

Date report completed: 9/11/2018



Well and building for Premier Surfaces

Water Right #1976-1
Brad Lalonde
9/5/2018



Steven Quissell
Water Rights Inspector
DENR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

OCT 09 2018

1976-1

Brad LaLonde
Diversified Construction Services
19876 Gobbler Rd
Spearfish SD 57783

Dear Mr. LaLonde:

Enclosed is Water License No. 1976-1. 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.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1976-1

(1) Brad LaLonde, Diversified Construction Services, 19876 Gobbler Rd, Spearfish SD 57783 made Application No. 1976-1, March 2, 2018 for a water permit to divert 0.044 cubic feet of water per second from ground water, one well (Minnekahta Aquifer), Lawrence County, South Dakota for commercial purposes. Permit No. 1976-1, with a priority date of March 2, 2018 was approved May 29, 2018 and issued to the applicant for diversion of water with construction of the water supply system and the application to beneficial use of water completed.

(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 0.044 cubic feet of water per second (20 gallons per minute) for beneficial use.

The location of the diversion point is:

- 2,258'S and 214'E of the NW corner of Section 33, T7N, R2E (SW ¼ NW ¼)
Latitude 44.526098, Longitude -103.889525

(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 Brad LaLonde, Diversified Construction Services, 19876 Gobbler Rd, Spearfish SD 57783 the holder and/or owner of Water Right No. 1976-1 is issued a license to appropriate water, the right to use 0.044 cubic feet of water per second from ground water, one well (Minnekahta Aquifer) with a priority date of March 2, 2018 from the location specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1976-1 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The water right holder shall report to the Chief Engineer annually the amount of water withdrawn from the Minnekahta Aquifer.
- Water Right No. 1976-1 authorizes a total annual diversion of 1.0 acre foot of water.
- Approval of Water Permit No. 1976-1 cancels Water Permit No. 1957-1. *(this took affect at the time of permitting)*



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

OCT 09 2018

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 16, 2018

1976-1

Brad LaLonde
Diversified Construction Services
3710 Old Belle Rd
Spearfish SD 57783-6219

Dear Mr. LaLonde:

Enclosed is your Water License No. 1976-1.

We recently mailed the license to 19876 Gobbler Rd, Spearfish SD. The post office returned the mail to us and indicated your address has changed.

Our records have been updated to reflect the change. If you have any questions, please contact me.

Sincerely,

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

encl

Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, March 14, 2022 8:45 AM
To: Premier Surfaces; Levi Bennett
Subject: RE: [EXT] Report
Attachments: 3029.pdf

Cadie,

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1976-1. The transfer form should be completed, checked over for accuracy, and **signed by the new owner**. Upon completion, return the form to our office (address on the form) with a required filing fee of \$50.00.

For your records, I have included copy of Water Right No. 1976-1 and a location map. One of the qualifications of the water right is:

- The water right holder shall report to the Chief Engineer annually the amount of water withdrawn from the Minnekahta Aquifer.

What we need is an approximate amount of water (in gallons) used from the well annually. Please let me know the amount used during 2021.

Last year, Diversified Construction Services reported using 35,000 per month equaling 420,000 gallons for 2020. Let me know if you have questions.

Karen Schlaak

DANR - Water Rights Program
(605) 773-3352
Website: <https://danr.sd.gov>



From: Premier Surfaces <premier surfacesd@gmail.com>
Sent: Friday, March 11, 2022 5:19 PM
To: Schlaak, Karen <Karen.Schlaak@state.sd.us>; Levi Bennett <levi.premiersurfaces@gmail.com>
Subject: [EXT] Report

Hello Karen,

I wanted to let you know that I've given the letter forwarded to us from the previous owner, Bradley Lalonde, to our new owner Levi Bennett. I've also copied him in this email so you could have his contact information. He will get you what you need. We apologize that this was missed when the business was sold and have every intention of making sure we answer any requests promptly in the future.

Sincerely,

Cadie Hockenbary

Office Manager

Premier Surfaces LLC

3716 Old Belle Rd.

Spearfish SD 57783

605-645-5078

www.premiersurface.net



PREMIER SURFACES

GRANITE & QUARTZ COUNTERTOPS

PAID

APR 14 2022

Ck# 3058

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

APR 14 2022

WATER RIGHTS
PROGRAM

No. 1976-1

X Date: 04/07/2022

I/We request that Water Permit No. 1976-1

formerly owned by: Brad LaLonde, Diversified Construction Services

be transferred to: (name & address) Levi Bennett, Premier Surfaces, LLC, 3716 Old Belle Rd., Spearfish, SD 57783

X

Telephone No. 605-559-0280

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

one well - SW 1/4 NW 1/4 Section 33-T7N-R2E

I/We understand that the validity of Water Right/Permit No. 1976-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Levi Bennett, the new owner, certify that the above information is true and correct.

Levi Bennett

(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.



OFFICE OF THE SECRETARY OF STATE

STEVEN J. BARNETT, SECRETARY OF STATE

JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: **Premier Surfaces, LLC**

General Information

SOS Business ID DL046696
Filing Type: Limited Liability Company - Domestic
01/14/2016
Delayed Effective Date: 01/14/2016 12:00 PM
Status: Good Standing
Duration Term: Perpetual
Managed By: Manager-Managed

Registered Agent Address

Levi Bennett
4601 WESTRIDGE RD
RAPID CITY, SD 57702

Principal Address

3716 OLD BELLE ROAD
SPEARFISH, SD 57783

The following document(s) was/were filed in this office on the date(s) indicated below:

Date Filed	Filing Description	Image #
03/14/2022	Articles of Amendment	B0208-7132
02/08/2022	2022 Annual Report	B0209-6424
02/07/2022	Statement of Change	B0209-5507
11/17/2020	2021 Annual Report	B0158-6398
02/03/2020	2020 Annual Report	B0129-0208
11/30/2018	2019 Annual Report	B0081-5106
12/26/2017	2018 Annual Report	B0048-7579
01/23/2017	2017 Annual Report	B0022-3846
01/14/2016	Initial Filing (Delayed Date 01/14/2016)	DL046696



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

April 19, 2022

1976-1

Levi Bennett
Premier Surfaces LLC
3716 Old Belle Rd
Spearfish SD 57783

Dear Mr. Bennett:

I am writing to acknowledge receipt of the transfer of ownership form and filing fee you submitted for Water Right No. 1976-1.

The ownership change has been completed. Water Right No. 1976-1, formerly held by Diversified Construction Services, is now listed under Premier Surfaces LLC.

Enclosed for your records is a receipt for the filing fee you paid. If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosure

1976-1

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date April 14, 2022

RECEIVED OF Premier Surfaces 3716 Old Belle Rd., Spearfish SD 57783

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>1976-1</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
2021