

WATER PERMIT NO. 2005-1

Name of Applicant: Cedar Berry Canyon LLC

Address: 6009 E Powderhouse Circle, Sioux Falls SD 57110

Phone: 605 391-7127

Amount of Water Claimed: 0.2 cfs

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: suburban housing development

County: Lawrence

Type of Waste Disposal System:

Location: 1 mile west of Spearfish

PRIORITY

Date Received: 4-7-21

Application/License Fee: \$ 950

Corrected Application Received:

Period of Annual Use: Jan 1- Dec 31

Remarks:

Diversion Point: ^{NW}
~~NE~~ 1/4 SE 1/4 Sec 1 - T6N-R1E

Land to be Irrigated: NA

Depth of Well: 1000 feet deep

Well Driller:

Remarks:

Type of Map: plat

Prepared by:

			1		
				⊗	

Reviewed and the Number Assigned on: 4-8-21

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 2005-1**

Date of first receipt of application April 7, 2021.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2005-1 to Cedar Berry Canyon LLC, c/o Rob deWit, 6009 E Powderhouse Circle, Sioux Falls SD 57110 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. 2005-1 appropriates 28.2 acre-feet of water annually at a maximum pump rate of 0.2 cubic feet of water per second from one well to be completed into the Madison Aquifer (approximately 1,000 feet deep) located in the NW 1/4 SE 1/4 Section 1-T6N-R1E. This site is located approximately one mile west of Spearfish SD.
2. The water appropriated shall be used for the purpose of a water distribution system 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 from which applicant may claim right is April 7, 2021.
5. The date of approval of Permit No. 2005-1 is June 28, 2021.
6. One-fifth of the construction is to be completed on or before December 28, 2023.
7. All construction is to be completed on or before June 28, 2026.
8. Water is to be put to beneficial use on or before June 28, 2030.
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. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 2005-1 is issued for a twenty-year term. Pursuant to SDCL 46-2A-21, the twenty-year term may be deleted at any time during the twenty-year period or following its expiration. If the twenty-year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 2005-1 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37.1 and ARSD 74:02:01:37.
2. The well will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under these Permits shall control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. The well authorized by Permit No. 2005-1 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.

(continued)

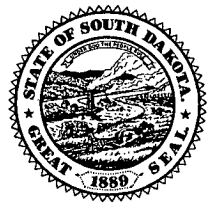
4. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Madison aquifer.
5. Water Permit No. 2005-1 appropriates up to 28.2 acre-feet of water annually.

WATER MANAGEMENT BOARD

By: Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

JUL 13 2021

date



Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3131
(605) 773-3352

File 2005-1
Hydrologic Unit 10120203
Basin Belle Fourche R
Newspaper Black Hills Pioneer

RECEIVED

APR 07 2021

WATER RIGHTS
PROGRAM

PAID

APR - 7 2021

Ck# 1002

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

Check use(s) of water:

- | | | | |
|---|--|--|--|
| ☐ Municipal | ☒ Suburban Housing | ☐ Recreational | ☐ Institutional |
| ☐ Rural Water System | ☐ Commercial | ☐ Fish & Wildlife | ☐ Geothermal Heat |
| ☐ Domestic (over 18 gpm) | ☐ Industrial | ☐ Other | |

Type of Application: (check one)

- ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place In 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.)

NA

email: rob@baeteforseth.com

1. Name of Applicant Cedar Berry Canyon LLC Phone 605 391 7127
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 6009 E Powderhouse Cir Sioux Falls State SD 57110
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.2 *CFS or 90 *GPM 28.2 *AF
(**Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Madison
4. Location of point of diversion (example - 3 wells in SW 1/4 NE 1/4 section 12-T100N-R53W) County _____
Lawrence Co 1 well (legally well) (Sec 7 & 8)
NW 1/4 SE 1/4 Sec 1-T6N-R1E flow plot
5. County or counties where water will be used Lawrence
6. Annual period during which water is to be used 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)

Plant can provide water info submitted to city

STATE OF SOUTH DAKOTA)

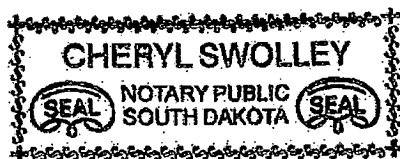
County of Minnehaha SS

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

I, Rob de Wit, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Rob de Wit

Subscribed and sworn to before me this 25 day of March 20 21



Cheryl Swolley
Notary Public signature

exp 9-5-2024

5) Drill Hole Diameter 8 3/4" + 6 1/4" Depth 1000 FT

b) Casing Type Steel Diameter 7 in 00 Thickness .3174

c) Screen Type _____ Diameter _____ Thickness _____

d) Gravel Pack _____ Length of Gravel Pack _____

c) Depth to Top of Water Bearing Material 760 Ff

f) Depth to Water (ground surface to water level) 420 FT

g) Distance to nearest existing domestic well:

On applicants property	On property owned by others
1. _____ 2. _____ 3. _____ 4. _____ 5. _____ 6. _____ 7. _____ 8. _____ 9. _____ 10. _____	1. _____ 2. _____ 3. _____ 4. _____ 5. _____ 6. _____ 7. _____ 8. _____ 9. _____ 10. _____

a) Type of System (i.e. septic tank, drain field) Septic Tank + Drain Field

b) System Capacity (gallons) _____ Year Constructed _____

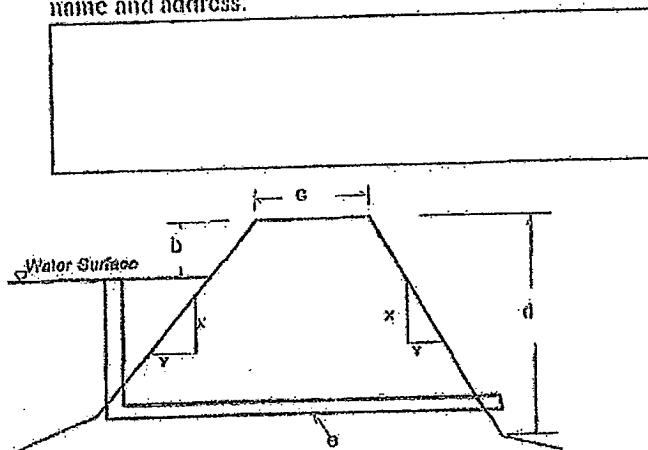
e) Connected to the City of _____ Sanitary System

a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) _____

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 _____



b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

c) Primary Outlet Capacity _____

If pipe, diameter _____

D. Secondary Spillway Capacity _____

Spillway Width _____

g) X & Y Slope _____

Upstream

Downstream

h) Surface Area of Impoundment

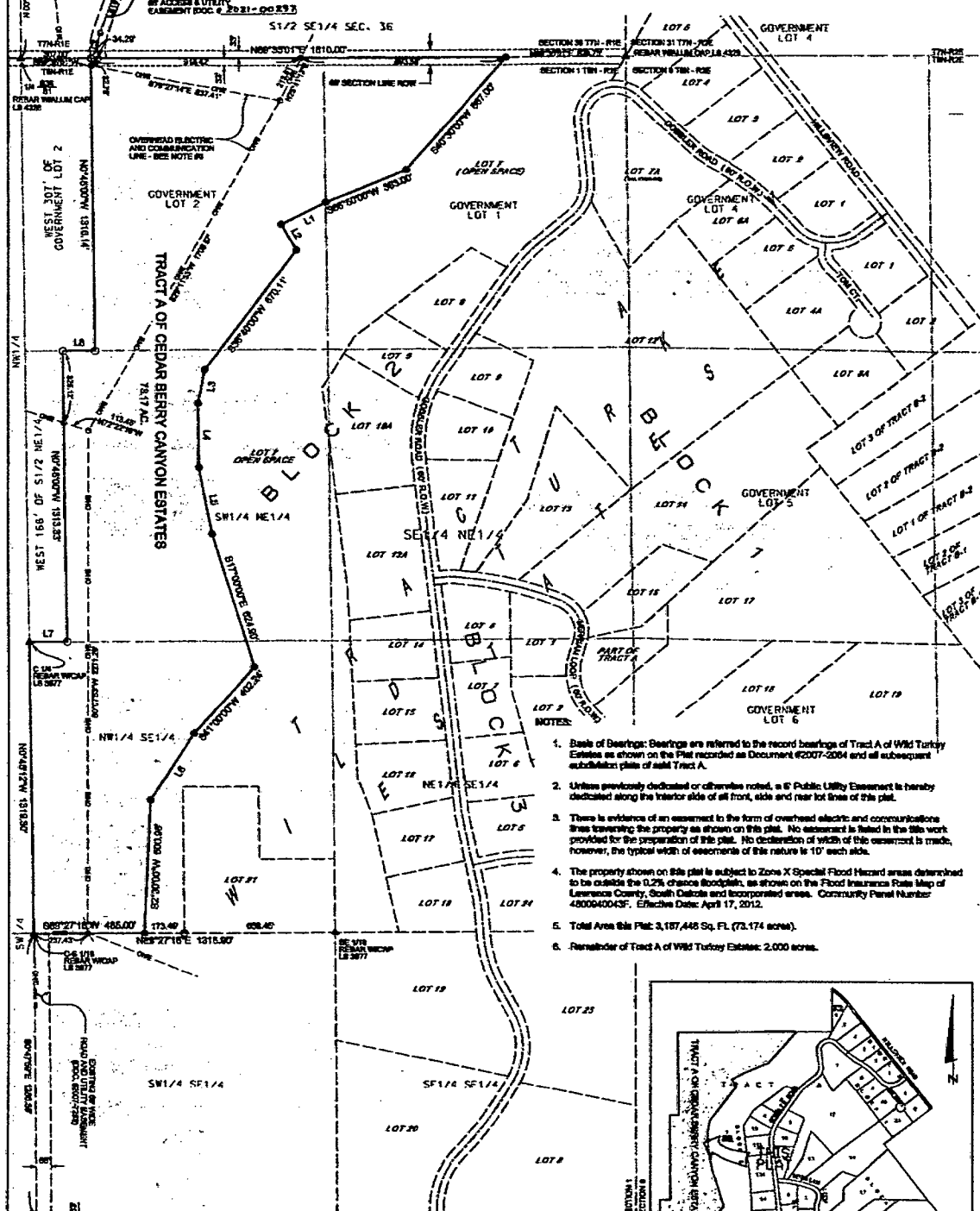
i)	Storage	Acre Feet
1	100	100
2	200	200
3	300	300
4	400	400
5	500	500
6	600	600
7	700	700
8	800	800
9	900	900
10	1000	1000

j) Drainage Area Above Dam _____ Acres

PLAT OF TRACT A OF CEDAR BERRY CANYON ESTATES

PART OF TRACT A OF WILD TURKEY ESTATES LOCATED IN
GOVERNMENT LOTS 1 AND 2, THE S1/2SE1/4, THE N1/2SE1/4 AND THE SE1/4SW1/4 OF SECTION 1, T8N, R1E, B9M;
GOVERNMENT LOT 4 OF SECTION 31, T7N, R2E, B9M;
GOVERNMENT LOTS 3, 4, 5 AND 6, THE SE1/4NW1/4 AND THE NE1/4SW1/4 OF SECTION 8, T8N, R2E, B9M;
TRACT A OF PINE OAK SUBDIVISION IN THE S1/2SW1/4 OF SECTION 6, T8N, R2E, B9M;
LAWRENCE COUNTY, SOUTH DAKOTA

Sheet 1 of 2

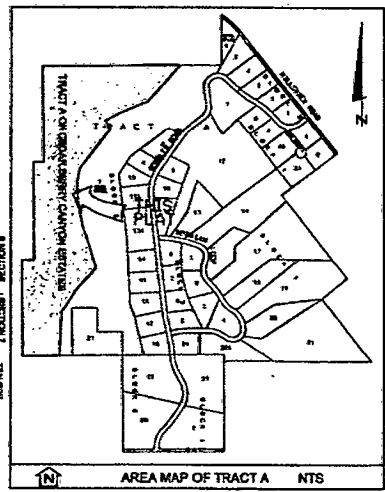


- NOTES:
1. Basis of Bearings: Bearings are referred to the record bearings of Tract A of Wild Turkey Estates as shown on the Plat recorded as Document #2007-2004 and all subsequent subdivision plats of said Tract A.
 2. Unless previously dedicated or otherwise noted, a 10' Public Utility Easement is hereby dedicated along the interior side of all front, side and rear lot lines of this plat.
 3. There is evidence of an easement in the form of overhead electric and communications lines traversing the property as shown on this plat. No easement is noted in the title work provided for the preparation of this plat. No declaration of width of this easement is made; however, the typical width of easements of this nature is 10' each side.
 4. The property shown on this plat is subject to Zone X Special Flood Hazard areas determined to be outside the 0.2% chance floodplain, as shown on the Flood Insurance Rate Map of Lawrence County, South Dakota and incorporated areas. Community Panel Number 480040043F. Effective Date: April 17, 2012.
 5. Total Area this Plat: 3,187,448 Sq. Ft. (73.174 acres).
 6. Remainder of Tract A of Wild Turkey Estates: 2,000 acres.

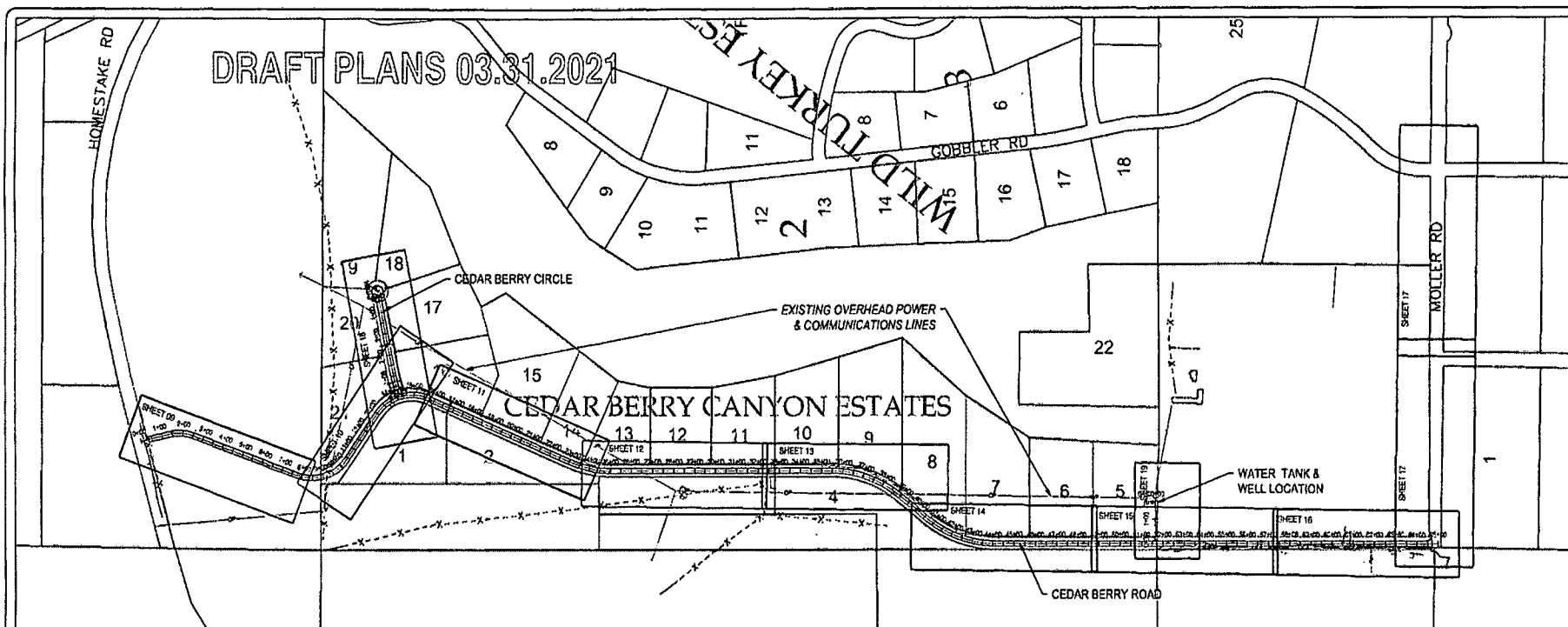
Line	Length	Direction
L1	220.00	S 69°30'00" W
L2	133.36	S 29°30'00" E
L3	153.86	S 10°25'33" W
L4	220.00	S 04°01'12" E
L5	304.45	S 11°00'00" E
L6	355.78	S 32°00'00" W
L7	100.00	N 80°20'31" E
L8	141.00	N 60°28'36" E
L9	33.00	S 15°15'05" E
L10	100.00	S 19°15'05" E

Curve	Radius	Area	Delta	Chord	Chord
C1	200.00	122.36	30°10'31"	120.46	S 2°18'33" W
C2	100.00	114.78	33°12'53"	113.18	S 3°11'32" W

FOUNDED BY REBAR WALLING CAP - LS 2328
RECOVERED OR SET BY REBAR WALLING CAP - LS 8478
FOUNDED MONUMENT AS NOTED
DIMENSION TERMINATOR - NO MONUMENT SET



Prepared By:
INTERSTATE ENGINEERING
P.O. Box 238
Lawrence, SD 57231
Phone: (605) 842-4773
Fax: (605) 842-4773
Email: info@interstate-engineering.com



HORIZONTAL ALIGNMENT DATA

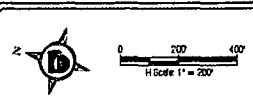
MAINLINE: ROAD B				
Type	Station	North	East	
POB	0+00.00	11176.93	-1348.54	
	TL = 130.14	S15° 18' 21.50"E		
PC	1+30.14	11053.38	-1314.31	
PI	1+93.25	R = 198.15	Δ = 35° 23' 38.76" R	10992.43
PT	2+52.54	10932.01	-1319.1	
	TL = 522.61	S19° 49' 53.10"W		
PC	7+75.15	10441.29	-1495.13	
PI	9+30.63	R = 198.00	Δ = 76° 16' 59.52" L	10295.00
PT	10+38.76	10209.15	-1418.15	
	TL = 256.56	S50° 37' 11.90"E		
PC	12+95.32	10057.83	-1205.04	
PI	14+61.90	R = 200.00	Δ = 79° 34' 59.16" R	9976.09
PT	15+78.12	9922.75	-1131.08	
	TL = 723.75	S23° 00' 00.00"W		

PC	22+96.87	9155.53	-1413.87	
PI	24+02.23	R = 500.00	Δ = 23° 48' 00.36" L	9059.54
PT	25+04.56	8564.19	-1453.57	
	TL = 1038.7	S0° 47' 54.74"E		
PC	35+43.25	7515.59	-1439.07	
PI	37+23.76	R = 500.54	Δ = 39° 39' 32.04" R	7735.11
PT	38+89.73	7594.58	-1549.86	
	TL = 184.64	S38° 17' 25.00"W		
PC	40+74.37	7449.07	-1663.54	
PI	42+50.30	R = 500.00	Δ = 38° 46' 12.35" L	7310.44
PT	44+12.70	7134.52	-1769.49	
	TL = 737.68	S0° 46' 12.32"E		
PC	51+70.38	6576.91	-1759.30	
PI	53+28.62	R = 500.00	Δ = 30° 45' 12.32" R	6376.91
PT	55+00.00	5647.42	-1741.43	

CROSS ROAD AT STA. 14+29.80; ROAD E				
Type	Station	North	East	
POB	0+00.00	9962.88	-1125.08	
	TL = 62.05	N72° 11' 09.47"E		
PC	0+62.05	9991.87	-1065.95	
PI	0+81.58	R = 387.60	Δ = 38° 59' 45.60" R	9997.84
PT	1+01.07	9991.92	-1028.28	
	TL = 439.03	N77° 57' 10.81"E		
POE	5+24.10	10090.21	-614.56	

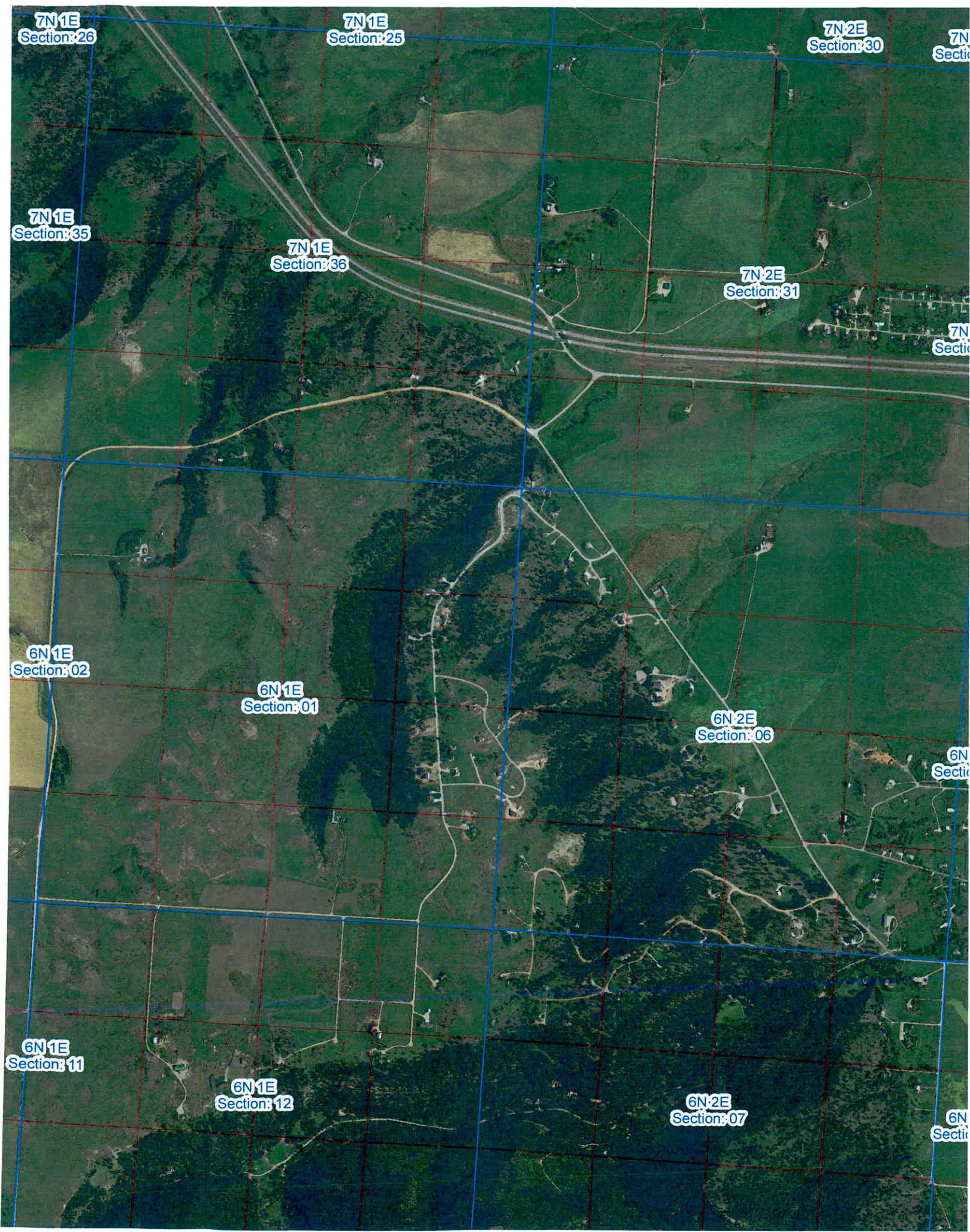
WATERLINE: TANK & WELL				
Type	Station	North	East	
POB	0+00.00	6396.02	-1641.25	
	TL = 100.00	S69° 13' 47.68"W		
POE	1+00.00	6384.68	-1741.25	

Rev	Date	By	Description
1	03/31/2021	1304	ACECANYON M2.1



Interstate Engineering, Inc.
P.O. Box 276
120 Industrial Drive, Suite 2
Spearfish, S.D., 57783
Ph (605) 842-4773
Fax (605) 842-4773
www.interstateeng.com
Other offices in SD, NE, WI, IL, IN, and MN

CEDAR BERRY CANYON ESTATES ROAD AND WATER			
CEDAR BERRY, LLC			
LAWRENCE COUNTY, SOUTH DAKOTA			
PLAN SHEET INDEX			
Drawn by:	TOW	Reviewed by:	AT
Checked by:	RAB	Designed by:	TOW
Project No: 12080-127		Date: 03/31/2021	



7N 1E
Section: 26

7N 1E
Section: 25

7N 2E
Section: 30

7N
Section:

7N 1E
Section: 35

7N 1E
Section: 36

7N 2E
Section: 31

7N
Section:

6N 1E
Section: 02

6N 1E
Section: 01

6N 2E
Section: 06

6N
Section:

6N 1E
Section: 11

6N 1E
Section: 12

6N 2E
Section: 07

6N
Section:



Department of Environment and Natural Resources

New Water System Application

This form is provided by the secretary of the South Dakota Department of Environment and Natural Resources in accordance with § 74:04:09:06 of the Administrative Rules of South Dakota. All new community and nontransient noncommunity water systems must submit this form in order to be considered for a Certificate of Approval. **Complete this form and send to:**

Drinking Water Program
523 E. Capitol – Joe Foss Building
Pierre, SD 57501-3181

Applicant			Engineer		
Owner/Developer: Cedar Berry Canyon LLC			Name/Firm: Ron Bengs/ Interstate Engineers		
Address: 6009 E Powderhouse Cir			Address: 120 Industrial Drive, Suite 2		
City: Sioux Falls	State: SD	Zip: 57110	City: Spearfish	State: SD	Zip: 57783

Contact Person

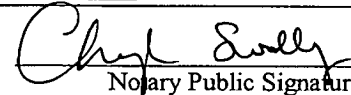
Name: Betsy Dewit		
Address: 6009 E Powderhouse Cir		
City: Sioux Falls	State: SD	Zip: 57110

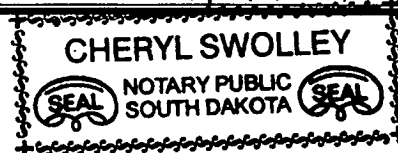
General Information:

County:	Lawrence County
Legal Description (quarter, section, township, range):	Part of Tract A of Wild Turkey Estates located in Govt L
Project Name:	Cedar Berry Canyon
Water Source:	Madison
Service Population:	21 Lots, 2.5 people per Total 53

Has a layout map showing the location of the new water system been attached to this form?	Yes ☒ No ☐
Have drinking water sample results from the water source been attached to this form?	Yes ☐ No ☒
Has documentation of a valid water right permit been attached?	Yes ☐ No ☒
Has the business plan been submitted?	Yes ☐ No ☒

Certification

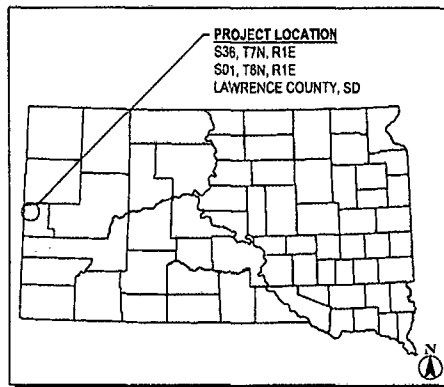
Applicant		Notary Public	
I certify that I have read this application and that the matters stated are true.		Subscribed and sworn to before me this <u>17</u> day of	
		<u>March</u> , 2021.	
Signature:	Date: 3/17/21		
		Notary Public Signature	
		exp. 9-5-2024 (Stamp)	



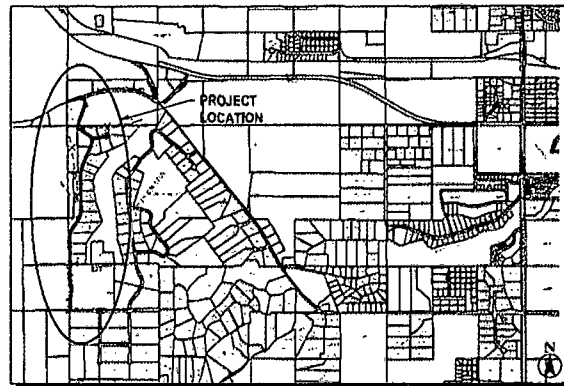
CONSTRUCTION PLANS FOR CEDAR BERRY CANYON ESTATES ROAD AND WATER

PREPARED FOR
CEDAR BERRY, LLC

LAWRENCE COUNTY, SOUTH DAKOTA



LOCATION MAP
NOT TO SCALE



SITE MAP
NOT TO SCALE

INDEX OF DRAWINGS

SEQUENCE NUMBER	SHEET NUMBER	SHEET TITLE
01	G1	COVER
02	G2	ESTIMATE OF QTYS & LEGEND
03	G3	STANDARD SPECIFICATIONS LIST
04-05	G4-G5	GENERAL NOTES
06	G6	SURVEY CONTROL
07	G7	TYPICAL ROAD SECTION AND DIRTWORK QTYS ROADWAY & WATER PLAN AND PROFILES
08	C1	PLAN SHEET INDEX - TYPICAL ROAD SECTION
09-16	C2 - C9	ROAD B - PLAN AND PROFILE
17	C10	MOLLER RD - PLAN
18	C11	ROAD E - PLAN AND PROFILE
19	C12	STORAGE TANK - PLAN AND PROFILE DETAILS
20-25	D1-D6	STANDARD DETAILS

THIS PLAN CONTAINS 25 SHEETS

DRAFT PLANS 03.31.2021

APPROVED:

March 4th, 2021

BY:

INTERSTATE ENGINEERING, INC.
PROJECT ENGINEER



REVISION NO.	DATE	BY	DESCRIPTION
1	03/03/21	TCA	ADD ROW NO. 1



Interstate Engineering, Inc.
P.O. Box 226
120 Industrial Drive, Suite 2
Spearfish, S.D. 57783
Ph (605) 643-4172
Fax (605) 643-4173
www.interstateeng.com
Office offices in CO, HI, IL, IN, MI, MO, ND, SD, and WY

G1
01 of 25

DRAFT PLANS 03.31.2021

153 LF - 6" PVC

COMMON UTILITY TRENCH FOR STORAGE TANK AND WELL HOUSE

BUTTE ELECTRIC AND CENTURY LINK TO REMOVE EXISTING OVERHEAD UTILITY INFRASTRUCTURE AND INSTALL IN COMMON UTILITY TRENCH

PROPOSED WELL LOCATION CONSTRUCTION AND DESIGN BY OTHERS

WELL HOUSE: DESIGN BY OTHERS

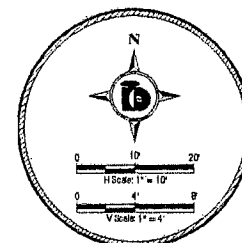
CONTINUE COMMON UTILITY TRENCH AND END AT EXISTING OVERHEAD POWER POLE

6" X 6" TEE
STA. 1+00.00

6" GATE VALVE
STA. 1+02.00

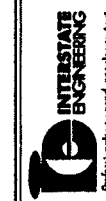
6" BEND
STA. 1+04.00

2' x 6" 6" PVC

[illegible]

CEDAR BERRY CANYON ESTATES ROAD AND WATER		CEDAR BERRY, LLC		LAWRENCE COUNTY, SOUTH DAKOTA	
STORAGE TANK - PLAN & PROFILE					
Drawn by	TOW	Surveyed by	AT	Project No.	17503177

Interstate Engineering, Inc.
P.O. Box 228
120 Industrial Drive, Suite 2
Spartanburg, S.D. 57783
Ph (805) 642-4772
Fax (805) 642-4773
www.interstateeng.com



C12

Schlaak, Karen

From: Rob deWit <rob@baeteforseth.com>
Sent: Tuesday, April 13, 2021 3:49 PM
To: Schlaak, Karen
Subject: Fwd: [EXT] Water permit application

Karen, see below from Trent.
Sorry about that.

Sent from my iPhone

Begin forwarded message:

From: Trent Walters <Trent.Walters@interstateeng.com>
Date: April 13, 2021 at 3:26:16 PM CDT
To: Rob deWit <rob@baeteforseth.com>
Subject: RE: Water permit application

Rob,

Yes, this is correct the well and storage tank will be located on what was previously the NW1/4 SE1/4 of Section 1, T6N, R1E.

Trent Walters
Project Engineer
Interstate Engineering
120 Industrial Drive, Suite 2
Spearfish, SD 57783
Phone: 605.642.4772
Cell: 307.413.7204
Fax: 605.642.4773

Professionals you need, people you trust.

From: Rob deWit <rob@baeteforseth.com>
Sent: Tuesday, April 13, 2021 12:44 PM
To: Trent Walters <Trent.Walters@interstateeng.com>
Subject: FW: Water permit application

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Trent, can you confirm?

From: Schlaak, Karen [<mailto:Karen.Schlaak@state.sd.us>]
Sent: Tuesday, April 13, 2021 1:23 PM
To: Rob deWit <rob@baeteforseth.com>
Subject: FW: Water permit application

Rob

In my email last week, regarding your water permit application for Cedar Berry Canyon, I indicated the well would be located in the NE ¼ SE ¼ Section 1-T6N-R1E and you agreed.

Upon further review, it has been brought to my attention that the well location as marked on the map is located near the quarter-quarter line between the NW ¼ SE ¼ and the SW ¼ SE ¼ Section 1. Do you agree with making the change to show the well will be located in the W ¼ SE ¼ Section 1-T6N-R1E?

Thanks,
Karen

From: Schlaak, Karen
Sent: Thursday, April 8, 2021 8:06 AM
To: Rob deWit <rob@baeteforseth.com>
Subject: RE: [EXT] Water permit application

Thank you for the information. With your application complete, we have 60 days to prepare a report and recommendation on the application. Once that is done, you will receive notification from us with instructions regarding the public notice process.

Karen

From: Rob deWit <rob@baeteforseth.com>
Sent: Thursday, April 8, 2021 7:58 AM
To: Schlaak, Karen <Karen.Schlaak@state.sd.us>
Cc: Betsy deWit <betsydewit@gmail.com>
Subject: FW: [EXT] Water permit application

Karen, please see below from our engineer for item #1.
We agree with items #2 and 3.
I am a member of the LLC and have the ability to sign all documents.

Please let us know if you have any other questions.

Rob deWit

From: Trent Walters [<mailto:Trent.Walters@interstateeng.com>]
Sent: Wednesday, April 07, 2021 12:26 PM
To: Rob deWit <rob@baeteforseth.com>
Cc: Betsy Dewits (betsydewit@gmail.com) <betsydewit@gmail.com>; Ron Bengs <Ron.Bengs@interstateeng.com>
Subject: RE: Water permit application

Rob,

The proposed average Annual Volume Use for the Well/Subdivision is 9.4 acre-ft per year (3,066,000 gallons per year).

The proposed maximum Annual Volume Use for the Well/Subdivision is 28.2 acre-ft per year (9,198,000 gallons per year).

The DENR is asking for the maximum Annual Volume Use, so please provide them with the **28.2 acre-ft per year** value.

These are the values that were used to design the water system for the Subdivision at full development.

Thanks

Trent Walters
Project Engineer
Interstate Engineering
120 Industrial Drive, Suite 2
Spearfish, SD 57783
Phone: 605.642.4772
Cell: 307.413.7204
Fax: 605.642.4773

Professionals you need, people you trust.

From: Betsy Dewits [<mailto:betsydewit@gmail.com>]
Sent: Wednesday, April 07, 2021 11:04 AM
To: Rob deWit <rob@baeteforseth.com>
Subject: Fwd: Water permit application

Sent from my iPhone

Begin forwarded message:

From: "Schlaak, Karen" <Karen.Schlaak@state.sd.us>
Date: April 7, 2021 at 10:48:17 AM CDT
To: Betsy Dewits <betsydewit@gmail.com>
Subject: Water permit application

Ms. Dewit,

We received the water permit application and fee for Cedar Berry Canyon LLC today. A couple of items need to be addressed.

- The application requests an appropriation of 90 gallons per minute (gpm). In addition to the pump rate, the application needs to include the annual volume in either gallons/year or acre feet/year. In calculating the annual volume, be reasonable but also plan for the maximum annual volume of use from the well at full development. It is unrealistic that 90 gpm will be pumped continuously during an entire year. Therefore, DENR requests an annual volume to be used for the suburban housing development.
- After reviewing the maps submitted it appears the proposed well will be located in the NE ¼ SE ¼ Section 1-T6N-R1E. Do you agree?

- I am assuming the annual period during which water will be used is January 1 – December 31. Do you agree?
- A review of the Secretary of State's corporation website finds Cedar Berry Canyon LLC listed. Your name is listed as the Registered Agent. DENR will need the application to be signed by you or a statement of authority that the person signing the application (Rob Dewit) has the authority to act on behalf of Cedar Berry Canyon on all matters involving the water permit application.

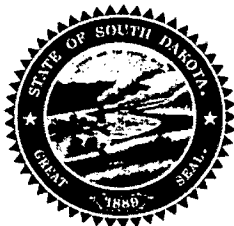
If you have any questions, please Ron Duvall or me.

Karen Schlaak

Water Rights Program

(605) 773-3352





OFFICE OF THE SECRETARY OF STATE

STEVEN J. BARNETT, SECRETARY OF STATE

JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: **Cedar Berry Canyon LLC**

General Information

SOS Business ID DL189385
Filing Type: Limited Liability Company - Domestic
10/14/2020
Status: Good Standing
Duration Term: Perpetual
Managed By: Member-Managed

Registered Agent Address

BETSY A. DEWIT
6009 E POWDER HOUSE CIRCLE
SIOUX FALLS, SD 57110-7468

Principal Address

6009 E POWDERHOUSE CIR
SIOUX FALLS, SD 57110

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

Date Filed	Filing Description	Image #
10/14/2020	Initial Filing	B0156-0251

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 7, 2021

RECEIVED OF Cedar Berry Canyon LLC 6009 E Powderhouse Cir. Sioux Falls SD 57110

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

Fee for Application for Permit No. <u>2005-1</u> to Appropriate Water, to construct and to put water to beneficial use	\$750.00
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$
Fee to retain Future Use Permit No. _____ after period of seven years.	\$
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2005-1</u>	\$200.00
Fee for Filing Transfer Form _____	\$
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	\$950.00

By Eric Gronlund
Chief Engineer vm

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, June 9, 2021 2:51 PM
To: Betsy Dewits
Cc: Rob deWit; Duvall, Ron
Subject: RE: [EXT] Cedar Berry Canyon
Attachments: 1317.pdf

Attached is a copy of the report, chief engineer recommendation and information regarding the public notice for your water permit application. As stated in the letter, please contact the paper as soon as possible to authorize publication and arrange for payment. This information is being mailed to you, also.

Karen Schlaak

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



From: Betsy Dewits <betsydewit@gmail.com>
Sent: Wednesday, June 9, 2021 6:53 AM
To: Duvall, Ron <Ron.Duvall@state.sd.us>
Cc: Rob deWit <rob@baeteforseth.com>; Schlaak, Karen <Karen.Schlaak@state.sd.us>
Subject: Re: [EXT] Cedar Berry Canyon

Hi Ron. Just checking in to see what phase our application is in. Thanks. Betsy deWit.

Sent from my iPhone

On Apr 30, 2021, at 10:56 AM, Duvall, Ron <Ron.Duvall@state.sd.us> wrote:

Betsy,



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2005-1, Cedar Berry Canyon LLC**

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. 2005-1, Cedar Berry Canyon LLC, 6009 E Powderhouse Circle, Sioux Falls SD 57110.

The Chief Engineer is recommending APPROVAL of Application No. 2005-1 with a twenty-year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) although evidence is not available to justify issuing this permit without a 20 year term limitation, 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. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 2005-1 is issued for a twenty-year term. Pursuant to SDCL 46-2A-21, the twenty-year term may be deleted at any time during the twenty-year period or following its expiration. If the twenty-year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 2005-1 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37.1 and ARSD 74:02:01:37.
2. The well will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under these Permits shall control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. The well authorized by Permit No. 2005-1 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.
4. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Madison aquifer.
5. Water Permit No. 2005-1 appropriates up to 28.2 acre-feet of water annually.

See report on application for additional information.

Eric Gronlund, Chief Engineer
June 9, 2021

**Report to the Chief Engineer on
Water Permit Application No. 2005-1**

Cedar Berry Canyon, LLC
13 May 2021

Water Permit Application No. 2005-1 seeks to appropriate up to 28.2 acre-feet of water per year (ac-ft/yr) at a maximum instantaneous diversion rate of 0.2 cubic feet of water per second (cfs) from one well to be completed into the Madison Aquifer (approximately 1,000 feet deep) located in the NW ¼ SE ¼ Section 1-T6N-R1E for use in a water distribution system. This site is located approximately one mile west of Spearfish, South Dakota.

Aquifer: Madison (MDSN)

Hydrogeologic characteristics

The Madison Group in South Dakota is a Lower Mississippian and Upper Devonian group of formations consisting of the Englewood and Pahasapa Limestone formations in the Black Hills [1]. The Pahasapa Limestone is a “white, light-gray to tan, fine- to medium-grained limestone and dolomite containing brown to gray chert [2].” The Englewood Limestone is a “pink to lavender to light-gray, thin- to medium-bedded, fine- to medium-grained, argillaceous, dolomitic limestone [2].” The Madison aquifer consists of the permeable and porous portions of the Madison Group that are sufficiently saturated to deliver useful quantities of water. The Madison aquifer extends over more than 210,000 square miles in Montana, Wyoming, North Dakota, South Dakota, and Nebraska [3], although it may not be suitable as a source of water in all of those areas due to extreme depth to the aquifer and low water quality far from the outcrops [4]. The Madison aquifer may be hydraulically connected to the Deadwood aquifer underlying it in some locations and is connected to the Minnelusa aquifer above it [5]. There are other bedrock aquifers that receive natural discharge from the Madison aquifer further away from the Black Hills where confining layers between the Madison aquifer and those aquifers are absent. The hydraulic head of the Madison aquifer is higher than land surface in many places around the Black Hills, causing some wells completed into the aquifer to flow without a pump [6]. Numerous springs and seeps in the Black Hills flow with water that has been determined to come from the Madison aquifer [7]. Near this application, the Madison aquifer is highly transmissive, with transmissivity ranging between 2,900 and 41,700 square feet per day in the Spearfish area [8].

The applicant did not submit a well-completion report or test hole log, but sufficient geologic information is available in the area of this application to analyze the requirements set forth in state law [9]. The well completion report submitted for Water Right No. 1950-1, located approximately 0.4 miles east of this application, encountered the Madison Group 680 to 983 feet below grade [10]. The static water level was 412 feet below grade on June 19, 2015, when the well was completed [10]. Based on the depth to aquifer and static water level, the Madison aquifer is under confined conditions at this location.

Applicable South Dakota Codified Law (SDCL)

Pursuant to SDCL 46-2A-9, “a permit to appropriate water may be issued only if there is 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 only assess the availability of water and possibility of developing this application without unlawful impairment of existing water rights.

Pursuant to SDCL 46-6-3.1, 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 the water to the groundwater source. An exception allows water distribution systems to withdraw from groundwater sources older or stratigraphically lower than the Greenhorn Formation regardless of the results of a hydrologic budget. The applicant is a water distribution system as defined in SDCL 46-1-6(17), and the Madison aquifer is older and stratigraphically lower than the Greenhorn Formation [1]. Therefore, it is not necessary to find that recharge exceeds withdrawals to approve this application. However, hydrologic budgets will be analyzed for the information of the Chief Engineer and the Water Management Board.

Pursuant to SDCL 46-2A-20:

Notwithstanding §§ 46-1-14 and 46-2A-7, no water permit for construction of works to withdraw water from the Madison formation in Butte, Fall River, Custer, Lawrence, Meade and Pennington counties may be issued for a term of more than twenty years, unless the Water Management Board determines, based upon the evidence presented at a hearing that:

(1) Sufficient information is available to determine whether any significant adverse hydrologic effects on the supply of water in the Madison formation would result if the proposed withdrawal were approved; and

(2) The information, whether provided by the applicant or by other means, shows that there is a reasonable probability that issuance of the proposed permit would not have a significant adverse effect on nearby Madison formation wells and springs.

This application proposes to withdraw water from the Madison aquifer in one of the counties listed above. Therefore, in addition to the other requirements, the Water Management Board must consider the effect this application may have on nearby Madison aquifer wells and springs and this application is subject to a 20-year term limit.

Availability of water

Statewide hydrologic budget

Statewide Recharge

The Madison aquifer receives recharge from infiltration of precipitation and streamflow on the outcrop area and may also receive inflow from the underlying Deadwood aquifer [5]. There are several reports available estimating recharge to the Madison aquifer.

Woodward-Clyde Consultants [11] estimated recharge to the outcrop of the Madison aquifer in the Black Hills as part of an environmental impact statement for the ETSI Coal Slurry Pipeline Project. The upper-bound estimate of recharge in the Woodward-Clyde Consultants report is

approximately 400,000 ac-ft/yr, assuming almost all of the precipitation that falls on the outcrop infiltrates into the aquifer [11]. Woodward-Clyde Consultants produced a lower-bound recharge estimate of 140,000 ac-ft/yr based on the Rahn and Gries [7] report [11]. However, the Rahn and Gries report estimated recharge for all Paleozoic limestone in the Black Hills, which includes the Madison Group, the Minnelusa Formation, and the Minnekahta Formation [7]. Rahn and Gries reported that 146.14 cfs was their minimum estimated recharge rate for the Paleozoic limestone from infiltration of precipitation, which converts to approximately 106,000 ac-ft/yr for all Paleozoic formations [7, p. 15]. The Woodward-Clyde Consultants report did not acknowledge the fact that the Rahn and Gries [7] report estimated minimum recharge for a larger group of formations than the Woodward-Clyde Consultants report covers [11].

Carter, Driscoll, and Hamade [5] analyzed streamflow and precipitation data from water years 1931 to 1998 in the Black Hills area in South Dakota and Wyoming to determine the average annual recharge to the Madison and Minnelusa aquifers. They estimated a combined average annual recharge to both aquifers to be 344 cfs, or approximately 249,000 ac-ft/yr, not including possible flow from the Deadwood aquifer [5]. Carter, Driscoll, and Hamade [5] estimate that approximately 55% of the recharge goes to the Madison aquifer, so the total estimated average recharge to the Madison aquifer from the outcrop in the Black Hills is 137,000 ac-ft/yr, not including possible inflow from adjacent aquifers. The Carter, Driscoll, and Hamade [5] report uses more years of data, more recent data, and better assumptions than the Woodward-Clyde Consultants [11] and Rahn and Gries [7] reports. Therefore, the best estimate of recharge to the Madison aquifer is based on the Carter, Driscoll, and Hamade [5] report.

Statewide Discharge

Discharge from the Madison aquifer in South Dakota is mainly by outflow to other aquifers when the hydraulic head in the Madison aquifer is higher than those aquifers, outflow to springs and seeps, and by withdrawals by domestic and appropriative wells [12]. Due to the presence of overlying aquifers and water distribution systems, domestic well withdrawals are a negligible portion of the hydrologic budget of the Madison aquifer. There are 157 water rights/permits currently authorized to withdraw from the Madison aquifer and 10 future use water rights/permits reserving water from the Madison aquifer. Table 1 shows the future use permits reserving water from the Madison aquifer [10].

Of the 157 active water rights/permits, there are 42 with their first use type designated for suburban housing developments, 33 for municipal use, 30 for irrigation, 17 for rural water systems, 15 for commercial use, 11 for industrial use, 4 for domestic use, 2 for geothermal use, 2 for institutional use, and one for recreation. Many of those water rights/permits have multiple use types listed, so the first use type on the permit is the one given above. Estimated withdrawals for irrigation use are shown below in Table 2 (page 5). When there were more than 10 years of irrigation reports available, the average reported irrigation was used to estimate irrigation withdrawals. When there were less than 10 years of irrigation reports available, withdrawals are assumed to equal 2 acre-feet per acre although actual usage is likely less for non-turf irrigation. Non-irrigation withdrawals from permit holders with irrigation as a permitted use are assumed to withdraw at their maximum instantaneous diversion rate 60% of the time. In the case of Water Right No. 1885-1, that would have caused the total estimated withdrawal to exceed the rate they were physically capable of withdrawing, so their total estimated withdrawal is 100% of their maximum instantaneous diversion rate.

Table 1: Future Use Permits from the Madison aquifer [10]

Permit No.	Name/Business	County	Use	Priority Date	Amount Reserved (ac-ft/yr)
369-1	City of Belle Fourche	LA	MUN	12/10/1958	620
2086-2	City of Rapid City	PE	MUN	05/18/1989	4,075
439-2	City of Rapid City	PE	MUN	09/22/1956	3,367
1872-1	City of Spearfish	LA	MUN	11/13/2006	2,704
2560-2	Fall River Water Users District	FR	RWS	05/16/2005	358
2560A-2	Fall River Water Users District	FR	RWS	05/16/2005	0
2560B-2	Fall River Water Users District	FR	RWS	05/16/2005	0
2580-2	Southern Black Hills Water System	FR	RWS	03/02/2006	1,474
1833-2	Weston Heights Home Owners	MD	RWS	02/18/1983	211
1995-1	Black Hawk Water User District	MD	RWS	04/15/2020	1,300
Total					14,109
FR – Fall River, LA – Lawrence, MD – Meade, PE – Pennington MUN – Municipal, RWS – Rural Water System					

Water Right/Permit Nos. 1096-1, 1096A-1, 1496-1, and 1670-1 are all authorized to withdraw from one well and one dam. Water Right Nos. 1096-1, 1096A-1, 1670-1 authorize diversion of water for irrigation use and Water Right No. 1096A-1 and Water Permit No. 1496-1 authorize diversion of water for rural water system use. Documentation in the administrative file for Water Right No. 1670-1 indicates that the well is not valved such that it can be shut off when not in use for the beneficial uses listed on the permits. A letter dated September 9, 1998 indicates that when the water for that well is not being used for the beneficial uses described in the permits, it is used for fish and wildlife propagation. The person writing the letter indicated they would prefer the Water Management Board not to order the well to be shut off when not used for irrigation or rural water system withdrawals. It is likely the well continues to flow uncontrolled, so at the flow rate listed in Water Right No. 1096A-1 of 1.33 cfs, that well withdraws approximately 964 ac-ft/yr from the Madison aquifer.

Water Right No. 1650-1 does not require the water right holder to report annual withdrawals and allocates no acreage, it provides supplemental water supply from a flowing well for water right No. 1231-1. Water Right No. 1231-1 permits a 110 acre-ft dam to provide water for a commercial livestock operation and irrigation of 134 acres. Water Right No. 1650-1 allows for direct irrigation from a Madison aquifer well of up to 2 acre-ft per acre for the land permitted by Water Right No. 1231-1. Kilts estimated that Water Right No. 1650-1 withdraws 55.9 ac-ft/yr [13].

There are 34 water rights/permits that have a volume limit listed in their permit or have had their total withdrawal limited by a subsequent water right/permit held by the same person/entity. While many of those water rights/permits are required to report their withdrawals, they may develop their permits further to withdraw up to the limit on their permit. The total volume listed by such permits is 21,134.2 ac-ft/yr.

There are 90 non-irrigation water rights/permits that do not have a volume limit listed in their permit and are not discussed above. They are conservatively estimated to withdraw up to their maximum instantaneous diversion rate 60% of the time, for a total estimated withdrawal of 17,679.3 ac-ft/yr.

Report on Water Permit App. No. 2005-1

Table 2: Permits with irrigation listed as one beneficial use, or are connected to an irrigation permit [10] [14]

Permit No.	Name/Business	Diversion rate (cfs)	Acres Licensed/ Permitted	Average Report (ac-ft/yr)	Years of Irrigation Reports	Estimated average irrigation (ac-ft/yr)	Est. Non-irr. Use (ac-ft/yr)	Total Est. Withdrawal (ac-ft/yr)
2773-2	Arrowhead Country Club	1.110	100.00	0	3	200.0	0.0	200.0
1096-1	Bar Bar V Livestock LLC	1.880	216.00	65.5	30	*	*	*963.5
1670-1		3.610	253.00	49.6	23	*	*	*
1635-1	Black Hills National Cemetery	0.820	54.50	95.6	25	95.6	356.4	452.0
1452-1	Black Hills State College	3.330	25.44	18.5	32	18.5	1,447.5	1,465.9
1096A-1	Butte Meade Sanitary Dist	1.330	0.00	N/A	0	*	*	
2458-2	City of Rapid City	0.800	107.00	101.6	20	101.6	0.0	101.6
2002-1	City of Spearfish	1.330	40.00	N/A	0	80.0	0.0	80.0
2313-2	Coca-Cola Bottling	0.330	3.00	7.3	26	7.3	143.4	150.8
1899-1	Davis Ranches Inc	1.430	100.00	0.0	12	0.0	0.0	0.0
2673-2	Diocese of Rapid City	0.120	7.00	8.3	8	14.0	0.0	14.0
1009-1	Donald F/Ann J Brady	0.780	53.73	31.1	39	31.1	0.0	31.1
1185-1		0.380	22.52	109.1	39	109.1	***	109.1
2286-2	Donald Konechne	0.100	38.50	10.6	27	10.6	0.0	10.6
1707A-1	Elkhorn Ridge @ Frawley Ranches LLC	3.705	100.00	N/A	0	200.0	1,610.5	1,810.5
1707E-1		0.000	0.00	38.3	2	**	**	
1931-1		0.170	3.30	3.0	8	6.6	73.9	80.5
1650-1	Foothill Land & Cattle LLC	0.890	0.00	N/A	0	*	*	*55.9
1945-1	Frawley Ranches LLC	1.110	265.00	46.9	7	530.0	0.0	530.0
1858-1	Glencoe Camp Resort II LLC	0.860	34.00	0.0	15	0.0	373.8	373.8
2593-2	Hart Ranch Development	0.490	72.50	15.2	14	15.2	213.0	228.2
1911-2	Hart Ranch Development Co	0.880	124.00	121.1	27	121.1	382.5	503.6
1725-2	Janice R Crowser	1.070	75.10	2.8	22	2.8	0.0	2.8
1923-1	Jim Montieth	0.110	3.00	1.0	9	6.0	47.8	53.8
858-2	John & Heidi McBride	9.360	655.75	7.1	35	7.1	0.0	7.1
1885-1	John T & Veronica Widdoss	0.110	22.00	14.9	4	44.0	35.7	79.7
1223-1	Montana Dakota Land LLC	0.670	263.00	200.4	39	200.4	0.0	200.4
1960-1	One Diamond Inc	1.280	150.00	137.0	5	300.0	556.4	856.4
1363-1	Spearfish Canyon Cntry Cl	0.900	80.10	61.3	34	61.3	0.0	61.3
2106-2	Stuart Rice	0.080	2.80	0.9	26	0.9	34.8	35.7
1842-1	Tom C Davis	0.440	330.00	0.0	16	0.0	0.0	0.0
2741-2	Tubbs Land & Cattle LLC	3.340	567.00	0.0	2	1,134.0	0.0	1,134.0
419-2	Wind Cave National Park	0.150	6.00	N/A	0	12.0	65.2	77.2
Total		42.965	3,774.24			3,309.1	5,340.8	9,669.4

* Discussed in text. ** gives additional time to develop 1707A-1. *** Reports all use types in irrigation report

In addition to the potential withdrawals by future use permits described above, three other applications are deferred, held in abeyance, or pending technical review and public notice. Water Permit Application No. 2585-2 for Southern Black Hills Water System seeks to appropriate 1,600 ac-ft/yr, but is deferred for further study. Water Permit Application No. 2685-2 for Powertech, Inc is held in abeyance pending federal permitting and seeks to appropriate 889 ac-ft/yr. Water Permit Application No. 2816-3 for Sudbury Ranch, LLC seeks to appropriate 8.3 ac-ft/yr and is pending technical review and public notice.

Summary of statewide hydrologic budget

The best available estimate of recharge to the Madison aquifer in South Dakota is approximately 137,000 ac-ft/yr. The estimated withdrawals as described in the Statewide Discharge section are summarized in Table 3 (see page 6). The total estimated withdrawal, including withdrawals reserved for future use and pending, held, or deferred applications is approximately 65,100 ac-

ft/yr. Therefore, based on the statewide hydrologic budget, there is reasonable probability unappropriated water is available for this application.

Table 3: Summary of withdrawals from Madison aquifer

Type	Count	Est. Rate (ac-ft/yr)
Irrigation (Table 2)	33	9,669.4
Volume limit	34	21,134.2
Diversion Rate limit	90	17,679.3
<i>Subtotal (authorized to withdraw)</i>	<i>157</i>	<i>48,482.9</i>
Future use (Table 1)	10	14,109.0
Pending/deferred/held	3	2,497.3
Grand total	170	65,089.2

Local hydrologic budgets

Since this application is near the outcrop of the Madison aquifer, it is appropriate to analyze local hydrologic budgets. Two local hydrologic budgets are available, based on recharge estimates from different studies of similar quality of analysis but with different study area boundaries [12] [15]. Figure 1 (see page 7) shows the study area boundaries relative to this application [12] [15]. Both studies estimate hydrologic budgets for the Madison and Minnelusa aquifers together [12] [15].

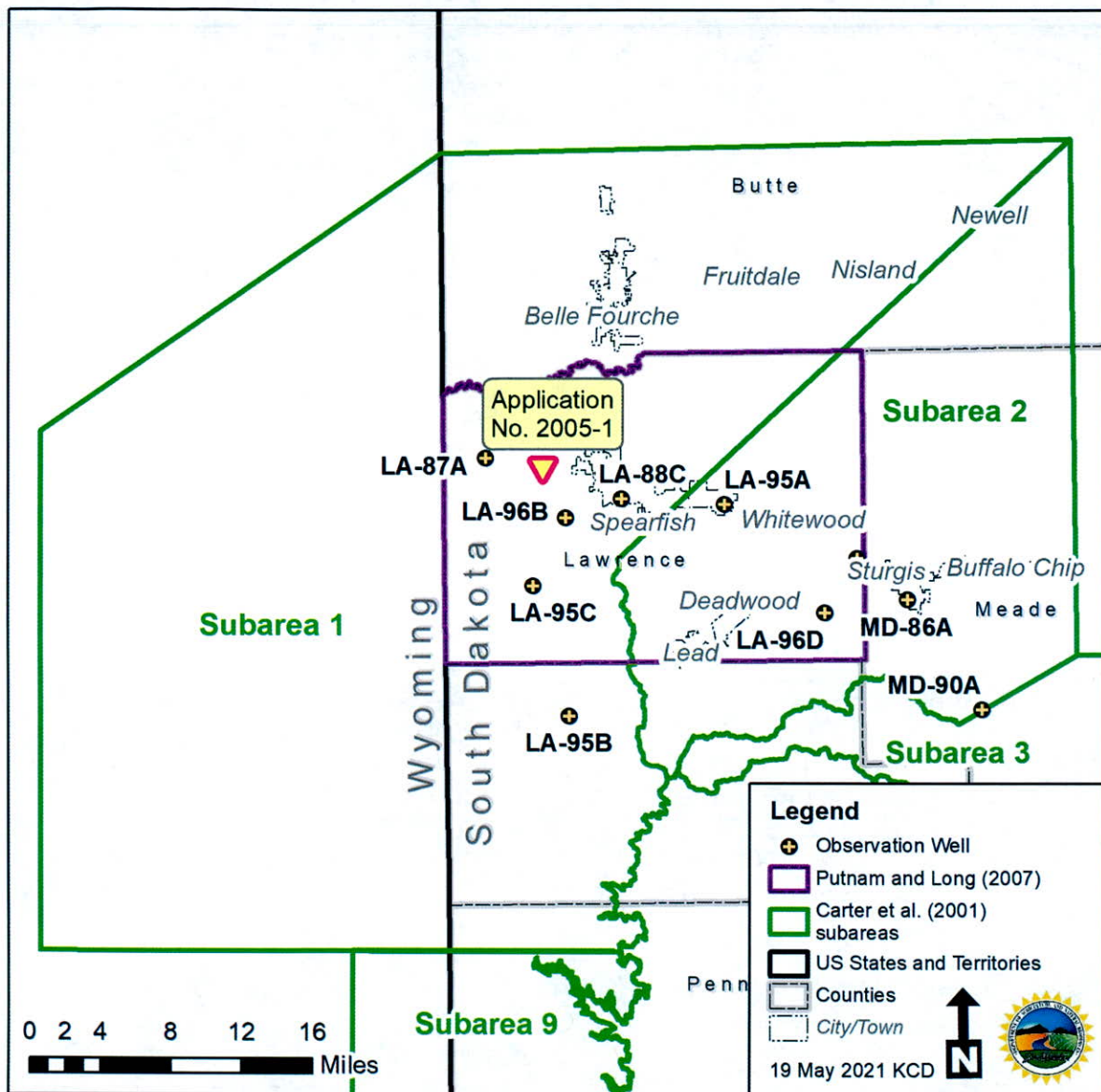


Figure 1: Study area boundaries for local hydrologic budgets [12] [15] and observation wells in the Madison aquifer [16].

Carter, et al. [12]

Carter, et al. [12] divided the area around the Black Hills into 9 Subareas and used streamflow, precipitation, spring flow, estimated ground water flow, and well withdrawal data from 1987 to 1996 for the hydrologic budgets. This application is in Subarea 1 of their report. Subarea 1 extends into Wyoming, but data on withdrawals from the Madison aquifer in Wyoming are not readily available. The boundaries of the Carter et al. [12] subareas were designed to minimize flow across subarea boundaries, although at the time of the study, there was some net flow from Subarea 1 to Subarea 2 and across other subarea boundaries. Carter et al. [12] estimated the total recharge to the Madison and Minnelusa aquifers from streamflow and precipitation infiltration was 130.7 cfs. Assuming 55% of the recharge goes to the Madison aquifer, the estimated recharge in Subarea 1 is 71.9 cfs, or approximately 52,100 ac-ft/yr [5] [12]. The recharge to the

Madison aquifer may be even higher than 55% of the recharge because the Limestone Plateau is partially in this subarea [17]. However, Carter, et al. [12] do not provide values for the recharge area of the Madison and Minnelusa formations in their report. Following the same methods as the Statewide Discharge section, withdrawals from Carter et al. [12] Subarea 1 within South Dakota are shown in Table 4. The total estimated withdrawals including water reserved for future use is approximately 27,400 ac-ft/yr [10] [14]. This application seeks to withdraw 28.2 ac-ft/yr. Therefore, based on this hydrologic budget, there is reasonable probability unappropriated water is available for this application, although withdrawals in Wyoming are not included in this estimate.

Table 4: Madison withdrawals estimated within Carter et al. [12] Subarea 1 in South Dakota [10] [14]

Type	Count	Est. Rate (ac-ft/yr)
Irrigation	11	3,823.3
Volume limit	5	4,638.4
Diversion rate limit	16	15,640.3
<i>Subtotal (authorized to withdraw)</i>	32	24,102.0
Future use	2	3,324.0
Pending/deferred/held	0	0.0
Grand total	34	27,426.0

Putnam and Long [15]

Putnam and Long [15] estimated precipitation recharge to the Madison formation to be approximately 8.0 cfs. They estimated streamflow recharge to the Madison and Minnelusa formations along Bear Gulch, Beaver Creek, Spearfish Creek, and False Bottom Creek was 17.5 cfs [15]. There are also other streams and stream channels that flow over the Madison Formation in the Putnam and Long [15] study area [4]. Putnam and Long [15] estimated that on average, natural discharge from the Madison and Minnelusa aquifers by spring flow was 51 cfs, which is more than the recharge rate estimated. This means that there is likely some groundwater inflow from other aquifers than the Madison and Minnelusa aquifer or from the Madison and Minnelusa aquifers outside of the study area. There is probably also additional streamflow recharge from the streams not included in the Putnam and Long [15] study. Some natural discharge is available for capture, and the Putnam and Long [15] study does not include well withdrawals in its estimates of recharge and discharge. The Putnam and Long [15] study also does not account for groundwater inflow from the west that is likely to occur [12]. Assuming 55% of the streamflow recharge goes to the Madison aquifer [5], then approximately 9.6 cfs goes to the Madison aquifer from streamflow from the four streams specified above, the total estimated recharge in the study area is 17.6 cfs (approx. 13,000 ac-ft/yr). Assuming 55% of the spring flow discharge comes from the Madison aquifer [5], then approximately 28.1 cfs (approx. 20,000 ac-ft/yr) flows out of the Madison aquifer as spring flow. The actual natural discharge from the Madison aquifer from springs is likely to be a much higher proportion of all spring flow, because Naus, Driscoll, and Carter [18] used chemical and dye analysis to find that three of the four major springs in the study area are supplied 70% or more from the Madison aquifer. Since the Putnam and Long [15] study was published in 2007, it is reasonable to assume new discharges starting January 1, 2007 come from the natural recharge and discharge described in the study. Following the same

methods as the Statewide Discharge section, the total estimated appropriative withdrawal from the Putnam and Long [15] study area is approximately 26,000 ac-ft/yr (Table 5, see page 9) [10] [14]. The total estimated appropriative withdrawal from water rights/permits with a priority date after the publishing date of the Putnam and Long study is approximately 2,000 ac-ft/yr (Table 5) [10] [14]. This application proposes to withdraw 28.2 ac-ft/yr. Therefore, based on a hydrologic budget within the Putnam and Long [15] study area boundaries, there is reasonable probability unappropriated water is available for this application.

Table 5: Madison withdrawals estimated inside the Putnam and Long [15] study area [10] [14]

Type	All time		After Jan. 1, 2007	
	Count	Est. Rate (ac-ft/yr)	Count	Est. Rate (ac-ft/yr)
Irrigation	10	5,018.1	6	1,680.4
Volume limit	8	4,714.4	4	100.2
Diversion rate limit	18	13,173.5	2	178.2
<i>Subtotal (authorized to withdraw)</i>	<i>36</i>	<i>22,906.0</i>	<i>12</i>	<i>1,958.8</i>
Future use	2	3,324.0	0	0.0
Pending/deferred/held	0	0.0	0	0.0
Grand total	38	26,230.0	12	1,958.8

Observation wells

Administrative Rule of South Dakota 74:02:05:07 requires that the Water Management Board rely upon the record of observation wells in addition to other information to determine that average annual withdrawals do not exceed recharge to an aquifer. The Water Rights Program maintains 25 observation wells completed into the Madison aquifer [16]. The nearest Madison observation wells to this application are Observation Wells LA-96B, LA-87A, and LA-88C located 3.1 miles south, 3.4 miles west, and 4.8 miles southeast of the proposed well, respectively [16]. Observation Well LA-96B has e-reader measuring tape lodged in the casing, so it has not been possible to manually read it since July of 2017 [16]. The data from both observation wells is representative of the hydraulic head in the Madison aquifer at those locations. In general, water levels in the aquifer rise during periods of high precipitation and decline during periods of low precipitation [19]. This means that recharge and natural discharge are the dominant effects in the aquifer and natural discharge is available for capture. Therefore, based on observation well analysis, there is reasonable probability unappropriated water is available for this application.

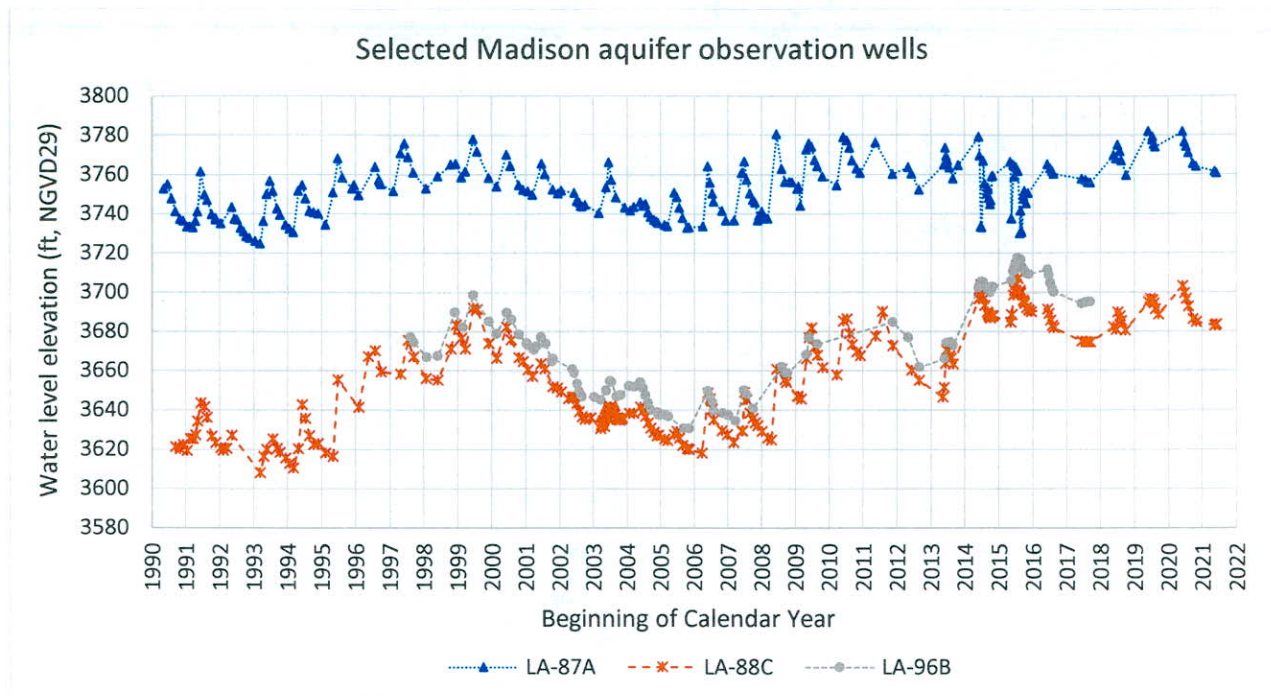


Figure 2: Observation well water levels near this application [16]

Possibility of unlawful impairment of existing water rights

The nearest water right/permit to this application is Water Right No. 1950-1, located approximately 0.4 miles east of the proposed well for this application [10]. The nearest domestic well on file with the water rights program, completed in January 17, 2008, that is likely in the Madison aquifer is in the same section as the proposed well for this application [6]. The location of the domestic well is reported by the driller to the nearest quarter-quarter as the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1-T6N-R1E [6], so it could be as close as 0.2 miles east of the proposed well for this application, assuming the applicant constructs their well at the point mapped on the application and assuming the well location is reported correctly. There is no record of well interference in the Madison aquifer in Lawrence County [20]. Figure 3 (see page 11) shows water rights/permits and observation wells near this application and Table 6 (see page 12) shows details about the water rights/permits in the figure.

The Water Rights Program has historically interpreted an unlawful impairment of existing water rights to occur if a junior water right/permit causes a nearby adequate well with a senior water right/permit to become unable to withdraw at the rate it is entitled to or, if a domestic well is impacted, the water right/permit causes the adequate domestic well to be unable to withdraw at the rate needed to supply reasonable domestic use of water. Administrative Rule of South Dakota (ARSD) 74:02:04:20(6) defines an adequate well as:

...a well constructed or rehabilitated to allow various withdrawal methods to be used, to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer or formation material when the well is constructed, or to allow the pump to be placed as near to the bottom of the aquifer as is practical if the aquifer thickness is less than 20 feet

In the hearing for Water Permit Application No. 2313-2 for Coca-Cola Bottling Company, the Water Management Board determined that to put the waters of the state to maximum beneficial use, hydraulic head would not be protected as a means of water delivery [21]. Some drawdown from this application is likely to occur. However, at the location of this application, there is approximately 270 feet of hydraulic head above the top of the Madison aquifer [6]. Given the high transmissivity of the aquifer in this area, the lack of well interference complaints in this aquifer in Lawrence County, and the amount of hydraulic head above the top of the aquifer, there is reasonable probability this application can be developed without unlawful impairment of existing water rights.

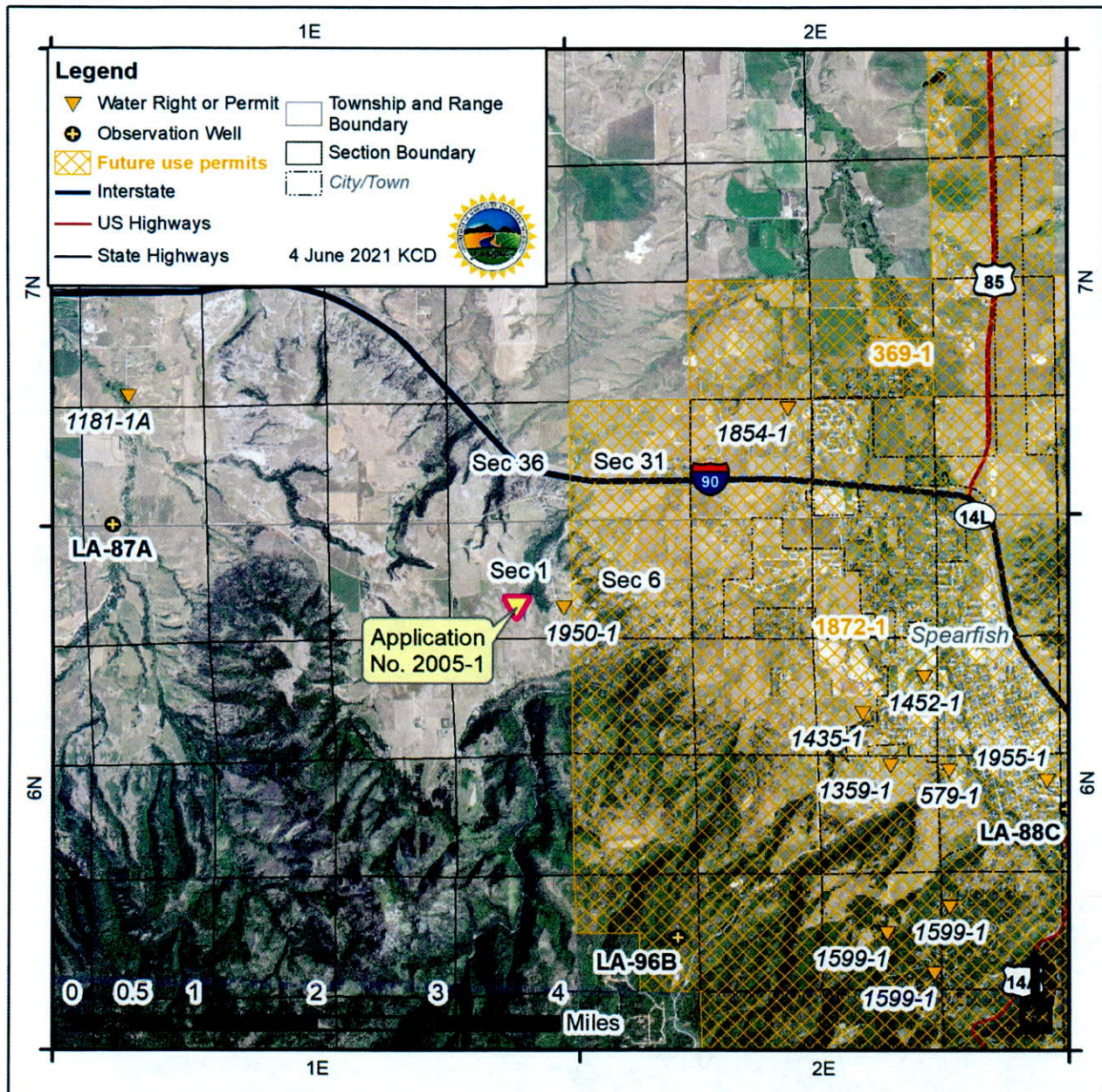


Figure 3: Water rights/permits [10] and observation wells [16] near this application.

Table 6: Water rights/permits shown on Figure 3 (page 11) [10].

Permit No.	Name/Business	Priority	Status	Use	Max. CFS	Volume (ac-ft/yr)	Irrigated Acres
369-1	City of Belle Fourche	12/10/1958	Future Use	MUN	N/A	620	N/A
579-1	City of Spearfish	06/07/1961	License	MUN	1.200	N/A	N/A
1181-1A	Keith/Leland Johnson	09/13/1978	License	IND, COM	0.160	N/A	N/A
1359-1	City of Spearfish	05/26/1986	License	MUN	1.170	N/A	N/A
1435-1	Spearfish Pellet Company LLC	03/07/1988	License	IND, DOM	0.890	N/A	N/A
1452-1	Black Hills State College	12/19/1988	License	IRR, MUN	3.330	N/A	25.44
1599-1	Mountain Plains 2 HOA	04/12/1994	Licence	SHD	0.210	N/A	N/A
1854-1	Old Apostolic Lutheran Church of Spearfish	11/22/2005	License	INS	0.170	N/A	N/A
1872-1	City of Spearfish	11/13/2006	Future Use	MUN	N/A	2,704	N/A
1950-1	Wild Turkey Estates HOA	02/26/2015	Licence	SHD	0.167	24.2	N/A
1955-1	City of Spearfish	01/16/1974	License	MUN	1.560	678	N/A
HOA – Homeowners Association; COM – Commercial, DOM – Domestic, IND – Industrial, INS – Institutional, IRR – Irrigation, MUN – Municipal, SHD – Suburban Housing Development							

Springs

The nearest major artesian springs to this application are the Higgins Gulch and Old Spearfish Hatchery springs, located approximately 3 miles northeast of the proposed well for this application [22]. Upon considering the deferral of Water Permit Application No. 2585-2 for Southern Black Hills Water System, the Water Management Board adopted a conclusion of law stating in part, "... The only protection South Dakota law provides when considering an application for an underground water permit for flow from an artesian spring is under the public interest criteria" [23]. Given the distance between the proposed well site and the nearest springs, there is reasonable probability this application can be developed without noticeably impacting flow from the springs.

Conclusions

1. Water Permit Application No. 2005-1 seeks to appropriate 28.2 ac-ft/yr at a maximum instantaneous withdrawal rate of 0.2 cfs from one well to be completed into the Madison aquifer located in NW ¼ SE ¼ Section 1-T6N-R1E for use by suburban housing development water distribution system.
2. Based on the hydrologic budgets and observation well analysis, there is reasonable probability unappropriated water is available for this application.
3. There is reasonable probability this application can be developed without unlawful impairment of existing water rights.
4. This application is subject to a 20-year term limitation set forth is SDCL 46-2A-20..

Kimberly C. Drennon, E.I.
Engineer II – DANR Water Rights Program

Table 6: Water rights/permits shown on Figure 3 (page 11) [10].

Permit No.	Name/Business	Priority	Status	Use	Max. CFS	Volume (ac-ft/yr)	Irrigated Acres
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1435-1	Spearfish Pellet Company LLC	03/07/1988	License	IND, DOM	0.890	N/A	N/A
1452-1	Black Hills State College	12/19/1988	License	IRR, MUN	3.330	N/A	25.44
1599-1	Mountain Plains 2 HOA	04/12/1994	Licence	SHD	0.210	N/A	N/A
1854-1	Old Apostolic Lutheran Church of Spearfish	11/22/2005	License	INS	0.170	N/A	N/A
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Conclusions

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4. This application is subject to a 20-year term limitation set forth is SDCL 46-2A-20..



Kimberly C. Drennon, E.I.
Engineer II – DANR Water Rights Program

References

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- [23] SD Water Management Board. *Finding of Facts, Conclusions of Law, and Final Decision on the Matter of Water Permit Application No. 2585-2*, 1997.

RECEIVED

JUN 28 2021

WATER RIGHTS
PROGRAM

Affidavit of Publication

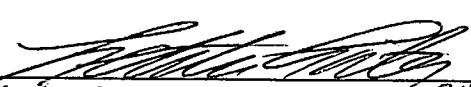
STATE OF SOUTH DAKOTA:

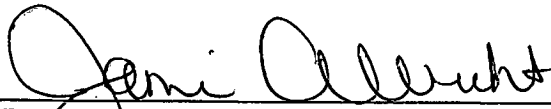
COUNTY OF LAWRENCE:

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. 2005-1

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 June, 2021, and the last publication on the day of , , that the full amount of fees charged for publishing same, to-wit: The sum of \$ 26.80, 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 24th day of June, 2021


Notary Public, Butte County, South Dakota

My commission expires: 3-21-2023

NOTICE OF APPLICATION NO. 2005-1 to Appropriate Water

Notice is given that Cedar Berry Canyon LLC, c/o Rob deWit, 6009 E Powderhouse Circle, Sioux Falls SD 57110 has filed an application for a water permit to appropriate 28.2 acre-feet of water annually at a maximum pump rate of 0.2 cubic feet of water per second from one well to be completed into the Madison Aquifer (approximately 1,000 feet deep) located in the NW 1/4 SE 1/4 Section 1-T6N-R1E for suburban housing development (water distribution system) use. This site is located approximately one mile west of Spearfish SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2005-1 with qualifications because 1) although evidence is not available to justify issuing this permit without a 20 year term limitation, there is reasonable probability that there is inappropriate 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Ron Duvall 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 28, 2021.

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.

Published once at the total approximate cost of \$27.72.

#726
Jun 17

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, June 9, 2021 2:46 PM
To: Legals (legals@bhpioneer.com)
Subject: 2005-1, Cedar Berry Canyon LLC
Attachments: 2005-1public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on June 17, 2021.

Cedar Berry Canyon LLC, c/o Rob deWit, 6009 E Powderhouse Circle, Sioux Falls SD 57110 (605 391-7127) 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

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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

June 10, 2021

Cedar Berry Canyon LLC
c/o Rob deWit
6009 E Powderhouse Circle
Sioux Falls SD 57110

Dear Mr. deWit:

Water Permit Application No. 2005-1 for a water distribution system 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,

Karen Schlaak

Karen Schlaak
Water Rights Program
(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. 2005-1 to Appropriate Water

Notice is given that Cedar Berry Canyon LLC, c/o Rob deWit, 6009 E Powderhouse Circle, Sioux Falls SD 57110 has filed an application for a water permit to appropriate 28.2 acre-feet of water annually at a maximum pump rate of 0.2 cubic feet of water per second from one well to be completed into the Madison Aquifer (approximately 1,000 feet deep) located in the NW 1/4 SE 1/4 Section 1-T6N-R1E for suburban housing development (water distribution system) use. This site is located approximately one mile west of Spearfish SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2005-1 with qualifications because 1) although evidence is not available to justify issuing this permit without a 20 year term limitation, 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Ron Duvall 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 28, 2021.

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.

Published once at the total approximate cost of_



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUL 13 2021

Cedar Berry Canyon LLC
c/o Rob DeWitt
6009 E Powerhouse Circle
Sioux Falls SD 57110

Dear Mr. DeWitt:

Enclosed is Water Permit No. 2005-1 authorizing construction of 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,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, July 13, 2021 9:01 AM
To: Marilee Sage (sagewaterworks100@gmail.com)
Cc: Rob deWit
Subject: Water Permit for Cedar Berry Canyon LLC
Attachments: 1518.pdf

As requested in our phone conversation yesterday, attached is a copy of Water Right No. 2005-1. This is being mailed to Mr. DeWitt today.

In January, I will be requesting the amount of water used under this permit to Sage Water Works unless I'm told otherwise.

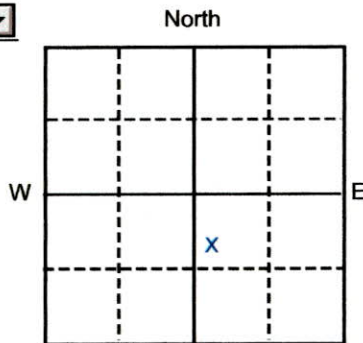
Karen Schlaak
DANR - Water Rights Program
(605) 773-3352
Website: <https://danr.sd.gov>



2005-1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 1 Twp 6N Rg 1ECounty Lawrence ☐Please mark well
location with an "X"

Well Completion Date

8/18/2021

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

rotary - air

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>36</u> LB/FT	<u>9 5/8</u> IN	<u>0</u> FT	<u>40</u> FT	<u>13.5</u> IN
<u>23</u> LB/FT	<u>7</u> IN	<u>+2</u> FT	<u>750</u> FT	<u>8 7/8</u> IN
<u>OH</u> LB/FT	IN	<u>750</u> FT	<u>1266</u> FT	<u>6 1/4</u> IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>cement</u>	<u>15</u>	<u>15</u> Lb/gal	<u>0</u> Ft	<u>40</u> Ft
<u>cement</u>	<u>120</u>	<u>15</u> Lb/gal	<u>0</u> Ft	<u>750</u> Ft

Describe grouting procedure

pressure grouted through casing

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? chlorine solution
☐ No, Why Not?
Lab to which water
quality sample sent for analysisWell Owner: Rob deWitBusiness Name: Cedar Berry Canyon LLCAddress: 6009 E. Powder House CircleCity, State, Zip: Sioux Falls ☐ SD ☐ 57110

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Minnekahta</u>	<u>0</u>	<u>20</u>
<u>Opeche</u>	<u>20</u>	<u>105</u>
<u>Minnelusa</u>	<u>105</u>	<u>723</u>
<u>Madison</u>	<u>723</u>	<u>1263</u>
<u>Englewood</u>	<u>1263</u>	<u>1266</u>

STATIC WATER LEVEL

401 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: Air Developed
☐ Bailed
☒ Other

640 ft 1/2 hour 23 GPM
740 ft 1/2 hour 35 GPM

Pumping Level Below Land Surface

840 Ft. After 1 Hrs. pumped 50 GPM1266 Ft. After 3 Hrs. pumped 70 GPM

If pump installed, pump rate: _____ GPM

REMARKS

Proposed Use: Rural Housing DevelopmentThis well was drilled under license # 331 and this report is true and accurate.Drilling firm: Taylor Drilling Co.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder

RECEIVED

SEP 13 2021

Date: _____

WATER RIGHTS
PROGRAM