

WATER PERMIT NO. 2022-1

Name of Applicant: Golden Valley Water Company LLC

Address: PO Box 8452, Rapid City SD 57709 Phone: 605 391-2205

Amount of Water Claimed: 0.66 cfs 1.09 Total Acres: NA

Source of Water Supply: groundwater (1 well)

Water to be used for: water distribution system County: Meade

Type of Waste Disposal System:

Location: 8 miles east of Piedmont

PRIORITY Date Received: 9-1-22 Application/License Fee: \$1150

Corrected Application Received: Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW 1/4 NW 1/4 Sec 11-T3N-R7E

Land to be Irrigated: NA

Depth of Well: 3600 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 9-6-22

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _ _ _ _ _

	⊗				
			11		

**SOUTH DAKOTA
WATER PERMIT NO. 2022-1**

Date of first receipt of application September 1, 2022.

Date of return to applicant for corrections, amendments or changes September 6, 2022.

Date of receipt of corrected application September 12, 2022.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2022-1 to Golden Valley Water Company LLC, c/o Kent Hagg, PO Box 8452, Rapid City SD 57709 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. 2022-1 appropriates 470.5 acre-feet of water annually at a maximum pump rate of 1.09 cubic feet of water per second (cfs) from one well to be completed into the Madison Aquifer (approximately 3,600 feet deep) located in the NW 1/4 NW 1/4 Section 11-T3N-R7E. The water is for use in a water distribution system either located in, or with expansion plans in portions of W 1/2 SW 1/4, SE 1/4 SW 1/4, SW 1/4 SE 1/4, W 1/2 NW 1/4, NE 1/4 NW 1/4 Section 2; NW 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4 Section 11; all in T3N-R7E. This site is located approximately 7 miles east of Piedmont SD.
2. The water appropriated shall be used for the purpose of a water distribution system 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. 2022-1 is November 21, 2022.
5. The date from which applicant may claim right is September 1, 2022.
6. One-fifth of the construction is to be completed on or before May 21, 2025.
7. All construction is to be completed on or before November 21, 2027.
8. Water is to be put to beneficial use on or before November 21, 2031.
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. 2022-1 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. 2022-1 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.

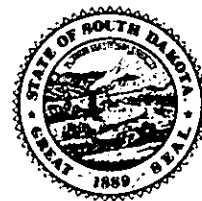
(continued)

2. The well 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 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. 2022-1 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. 2022-1 appropriates up to 470.5 acre-feet of water annually.

WATER MANAGEMENT BOARD

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

DEC 08 2022
date



RECEIVED

SEP 01 2022

PAID

SEP 1 2022

Ck# 5479

Rec't#

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>2022-1</u>	(office use only) Hydrologic Unit	OFFICE OF WATER <u>10/20/11</u>
	Basin <u>Upper Cheyenne</u>		
	Newspaper <u>Faith Independent</u>		
	<u>Rapid City Journal</u>		

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. _____		

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

- Name to Appear on Water Permit Golden Valley Water Company, LLC
Mailing Address P.O. Box 8452 Rapid City SD 57709
(Address) (City) (State) (Zip Code)
Phone 605-348-1125 Mobile 605-391-2205 Email Kent.haggandhagg.com
- Amount of water claimed 1.09 *CFS or 295 **GPM and 475 ***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 Madison Aquifer Well → 470.5 AF
- Location of point of diversion NW 1/4 NW 1/4, Sec. 11, T3N, R7E, B1M County Meade
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☐ No
If "Yes," where will water be used? _____
(example - NW1/4 section 12-T104N-R53W)
- County or counties where water will be used Meade
- Annual period during which water is to be used Full year from date of well completion
- 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)

Construction of a new Madison Well, a new 150,000 gal. storage reservoir and piping necessary to connect new well and reservoir to existing system and system expansion for future phases of the development.

I, Kent Hagg Pres/CEO, the applicant, certify under

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

Current development	175.0 lots
Proposed development	125.0 lots
Future development	90.0 lots
	390.0 lots
Population	2.65 people per household
Water Usage per person	100.0 gpppd
Peaking Factor	4.2
	434,070.0 gpd

Peak Water Use	0.65 cfs
	292.2 gpm
	470.5 ac-ft per yr

Assume Pumping at 60%	0.6
total request is	723,450.0 gpd

OR	1.09 cfs
	487.0 gpm
	784.1 ac-ft per yr

RECEIVED

SEP 22 2022

**OFFICE OF
WATER**



PRELIMINARY
FOR REVIEW ONLY

FUTURE DEVELOPMENT

PROPOSED DEVELOPMENT

UTILITY LOT

EXISTING DEVELOPMENT

RECEIVED

SEP 22 2022

OFFICE OF
WATER



NW1/4
SECTION 11, T3N, R7E, BHM

PROPOSED WELL SITE
GOLDEN VALLEY SUB LOT 7 BLK 3

DOUBLE TREE

WILLOW WOOD

DOUBLE TREE

CREEK MEADOWS

141ST

ELK CREEK

Golden Valley Water
Improvements
Meade County, South Dakota
Exhibit A
August 23, 2022

TDG
Towley Design Group, Inc.
4432 Furman Road, Rapid City, SD 57702
605.343.3331 towleydesigngroup.com



300' 150' 0 300' 600'
SCALE: 1"= 800'

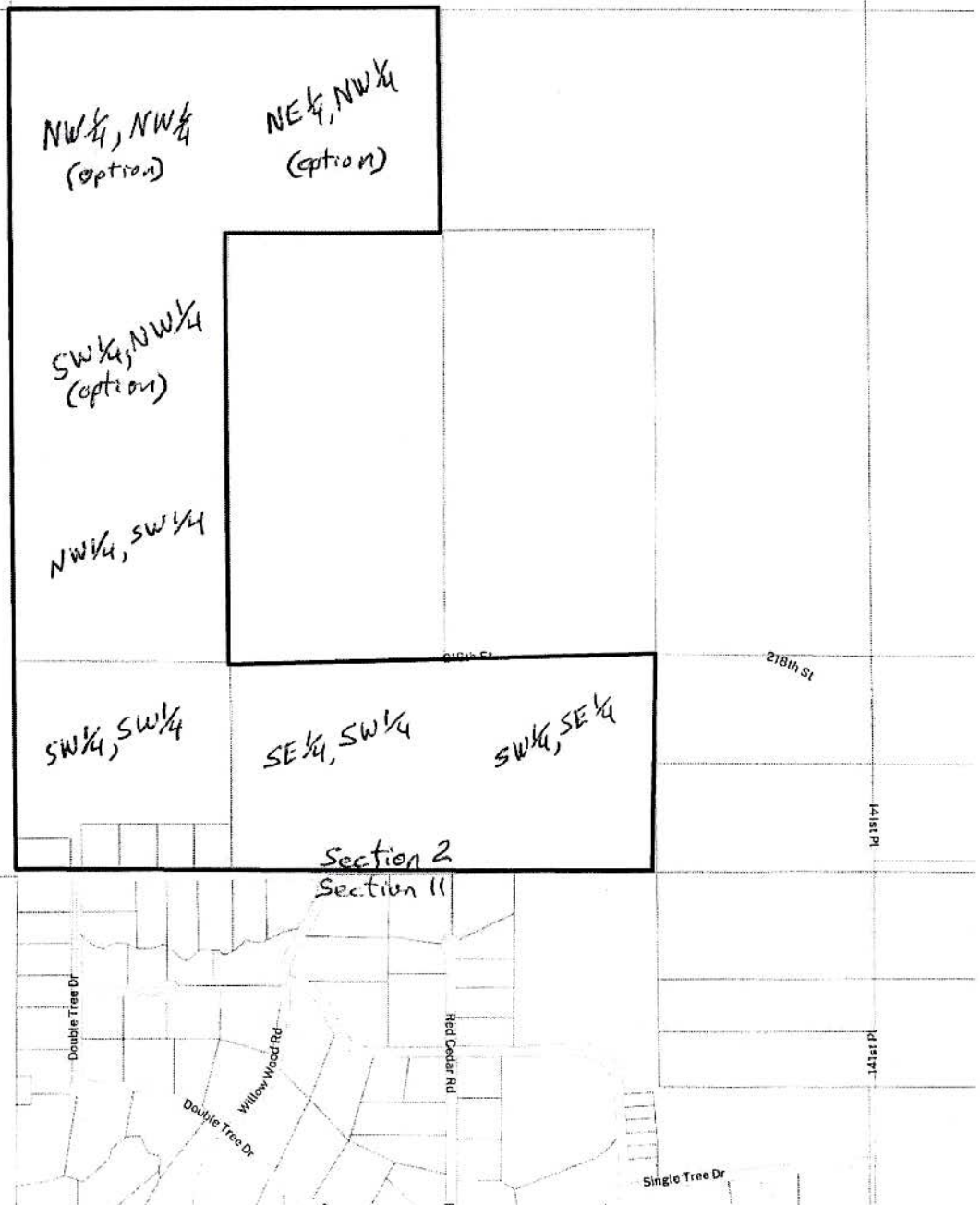
**PRELIMINARY
FOR REVIEW ONLY**

Elk Creek Meadows Water

<https://haggdevelopment.regrid.com/m/elk-creek-meadows-water>

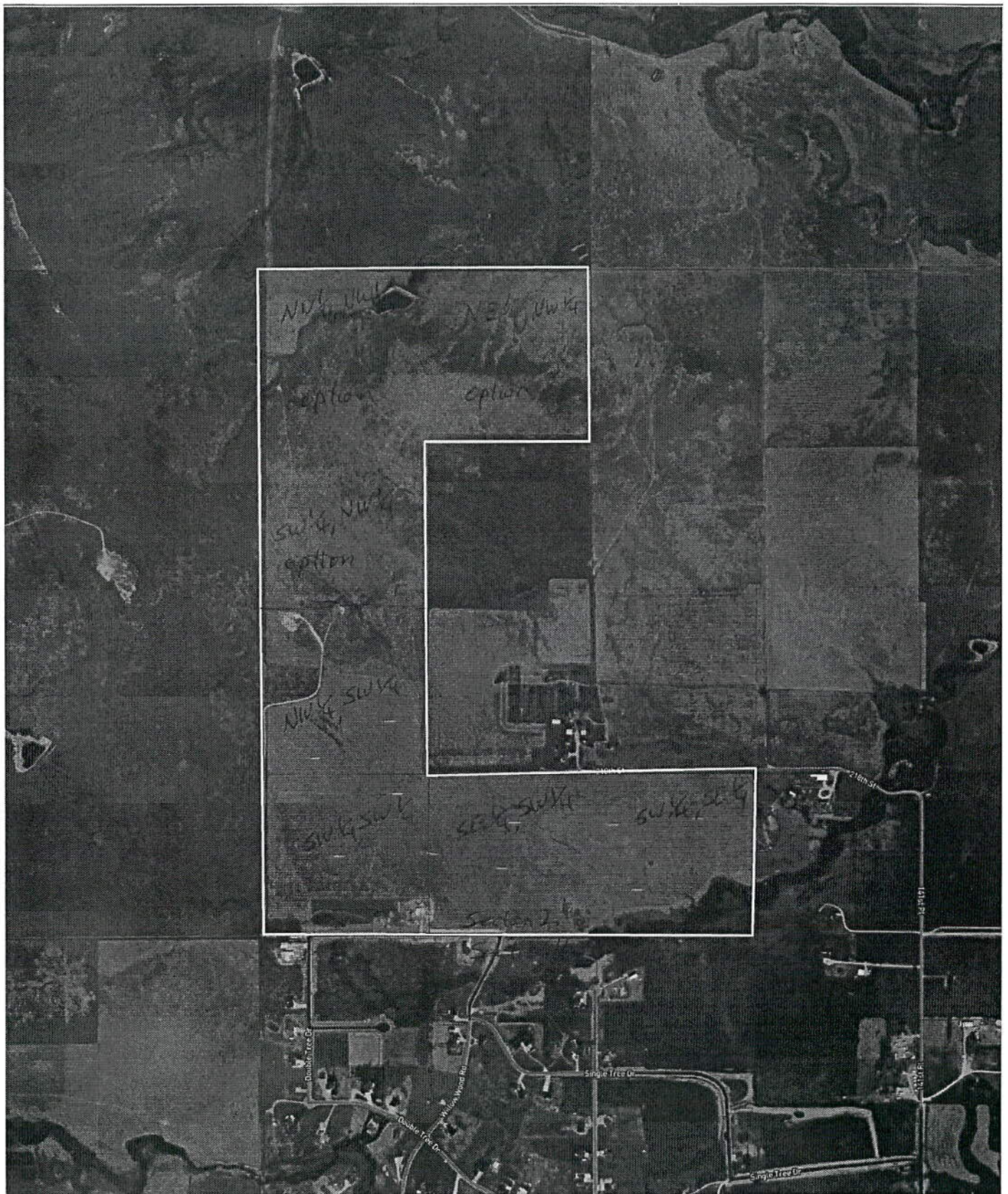
haggdevelopment

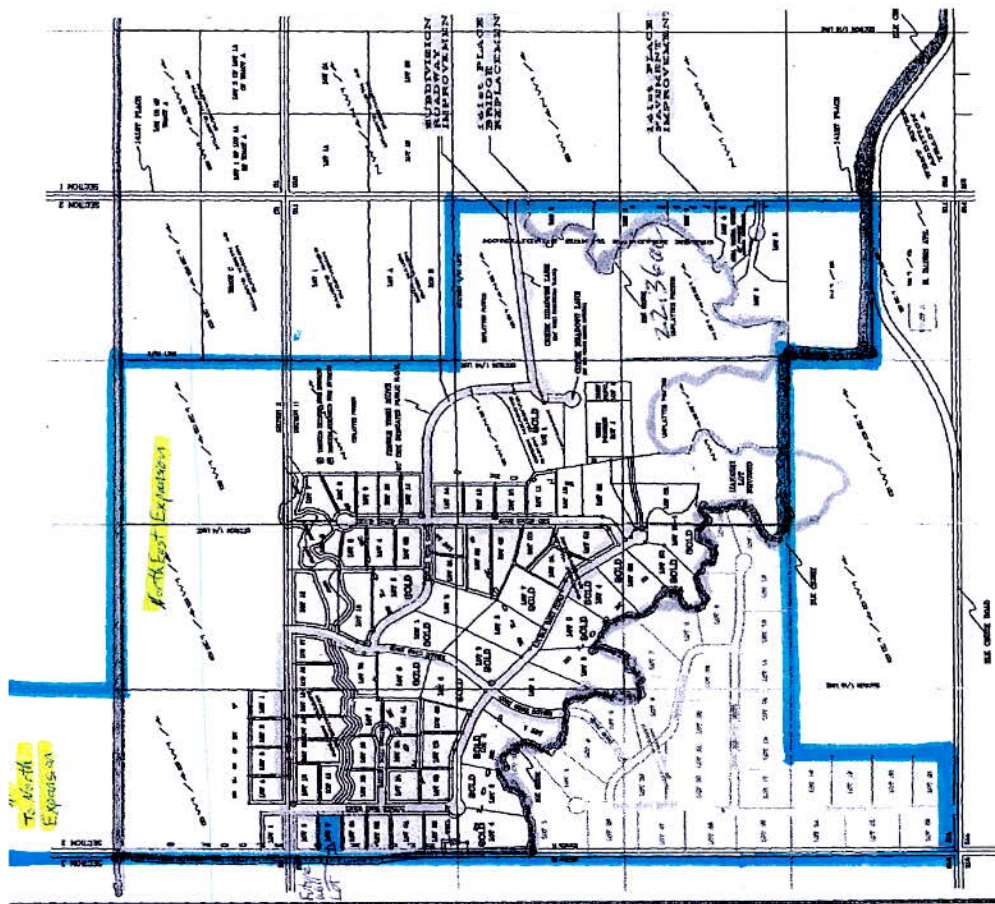
Regrid • Sep 12, 2022



<https://haggdevelopment.regrid.com/m/elk-creek-meadows-water>

Regrid · Sep 12, 2022





RESERVE YOUR LOT TODAY

Creek 
Meadows
RESERVE

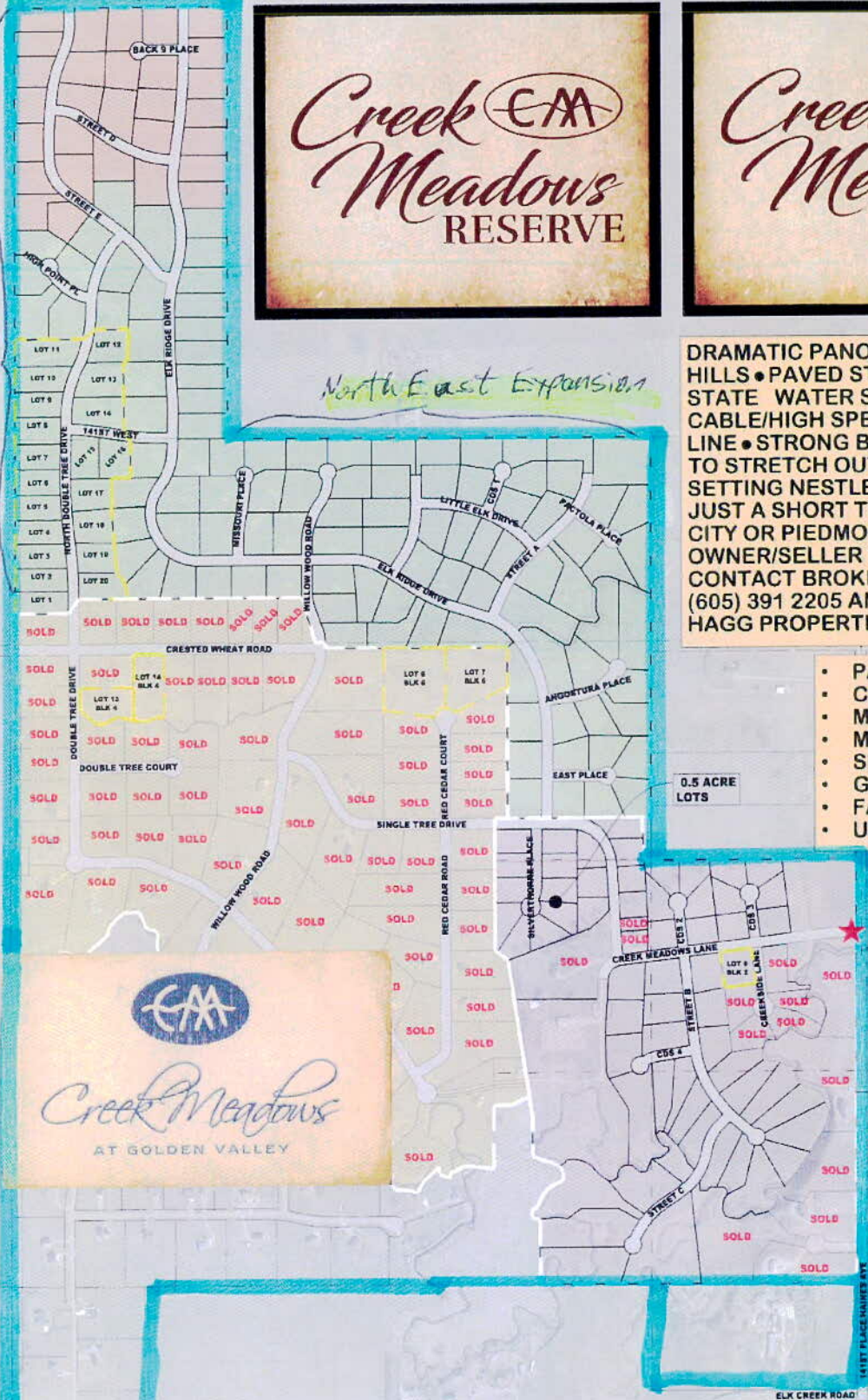
Creek 
Meadows
RANCH

DRAMATIC PANORAMIC VIEWS OF THE BLACK HILLS • PAVED STREETS • NATURAL GAS • STATE WATER SYSTEM • ELECTRIC • CABLE/HIGH SPEED INTERNET TO THE LOT LINE • STRONG BUT FAIR COVENANTS • ROOM TO STRETCH OUT • QUIET NEIGHBORHOOD SETTING NESTLED IN THE ELK CREEK VALLEY JUST A SHORT TEN MINUTE DRIVE TO RAPID CITY OR PIEDMONT • RESERVE YOURS TODAY. OWNER/SELLER IS A REAL ESTATE BROKER, CONTACT BROKER, LISTED BY KENT HAGG (605) 391 2205 AND GARY PEOT (605) 593 3086. HAGG PROPERTIES, LLC.

- PAVED ROADS
- CENTRAL WATER SYSTEM
- MDU NATURAL GAS
- MIDCO FIBER OPTIC
- SHOP BUILDINGS PERMITTED
- GREAT SOIL
- FAIR COVENANTS
- USE YOUR OWN BUILDER

North Expansion

North East Expansion




Creek Meadows
AT GOLDEN VALLEY

MAIN
ENTRANCE


MIDCO



West River Electric
Association, Inc.

Your Touchstone Energy® Cooperative



MONTANA-DAKOTA
UTILITIES CO.

A Subsidiary of MDU Resources Group, Inc.
In the Community to Serve®



HAGG
PROPERTIES, LLC



TDG

TOWEY DESIGN GROUP, INC.

4459 Fortrush Road, Rapid City, SD 57702
605.391.2190 mtowey@towedesigngroup.com

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date September 1, 2022

RECEIVED OF Golden Valley Water company LLC 601 West Blvd. Rapid City SD 57701

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

Fee for Application for Permit No. <u>2022-1</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>950.00</u>
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>2022-1</u>	\$ <u>200.00</u>
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	\$ <u>1150.00</u>

By Iris Kronlund
Chief Engineer

me



OFFICE OF THE SECRETARY OF STATE

STEVEN J. BARNETT, SECRETARY OF STATE

JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: **GOLDEN VALLEY WATER COMPANY, LLC**

General Information

SOS Business ID DL008773
Filing Type: Limited Liability Company - Domestic
03/03/2005
Status: Good Standing
Duration Term: Perpetual
Managed By: Manager-Managed

Registered Agent Address

KENT R. HAGG
601 WEST BLVD
RAPID CITY, SD 57701-2643

Principal Address

601 WEST BOULEVARD
RAPID CITY, SD 57701-2643

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

Date Filed	Filing Description	Image #
05/02/2022	2022 Annual Report	B0218-7896
03/31/2021	2021 Annual Report	B0175-2941
02/27/2020	2020 Annual Report	B0131-0319
03/07/2019	2019 Annual Report	B0092-8036
02/19/2018	2018 Annual Report	B0053-0090
06/02/2017	2017 Annual Report	B0033-2529
05/12/2016	2016 Annual Report	
06/29/2015	2015 Annual Report	
04/04/2014	2014 Annual Report	
04/15/2013	2013 Annual Report	
04/04/2012	2012 Annual Report	
03/29/2011	2011 Annual Report	
05/10/2010	2010 Annual Report	
05/26/2009	2009 Annual Report	
03/06/2008	2008 Annual Report	
03/14/2007	2007 Annual Report	
03/02/2006	2006 Annual Report	
03/03/2005	Initial Filing	DL008773

Schlaak, Karen

From: Kent Hagg <kenth@haggandhagg.com>
Sent: Monday, September 12, 2022 2:55 PM
To: Schlaak, Karen
Subject: RE: [EXT] Future Expansion Areas -- water permit application for Golden Valley Water Company LLC
Attachments: Golden Valley Water Company

Hi Karen,

Yes, the NW1/4, SW1/4 is included and to be developed ASAP.

Please find attached the area north of the existing subdivision that we envision as future expansion. We have an option to purchase the 120 additional acres marked "Option". All area south of Section 2 is also included as illustrated in the previous attachments.

Please let me know if you have any further questions. Feel free to call my cell anytime: 605.391.2205

Kind regards,

Kent Hagg

Kent R. Hagg, Esq.
Hagg & Hagg, LLP
P.O. Box 750
Rapid City, SD 57709-8008
(605) 348-6521

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From: Schlaak, Karen [mailto:Karen.Schlaak@state.sd.us]
Sent: Monday, September 12, 2022 7:32 AM
To: Kent Hagg <kenth@haggandhagg.com>
Subject: RE: water permit application for Golden Valley Water Company LLC

That is definitely a question for my engineer. It definitely appears that flow is miscalculated. At this time, I do not believe we intend to supplement the new reservoir with the existing well.
We will send correction ASAP.

Best,

Kent Hagg

Kent R. Hagg, Esq.
Hagg & Hagg, LLP
P.O. Box 750
Rapid City, SD 57709-8008
(605) 348-6521

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From: Duvall, Ron [<mailto:Ron.Duvall@state.sd.us>]
Sent: Monday, September 12, 2022 3:12 PM
To: Kent Hagg <kenth@haggandhagg.com>
Cc: Schlaak, Karen <Karen.Schlaak@state.sd.us>
Subject: Water Permit Application for Golden Valley Water Co.

Kent,

I received your application from Karen and I have a question in looking over the application. On the application you identified a pump rate of 295 gallons per minute (0.66 cubic feet of water per second - cfs) and an annual volume of water of 475 acre-feet. I have a question about the volume of water. The volume of 475 acre-feet represents nearly continuous pumping of the proposed well at 24 hours a day, 365 days a year. While possible, it seems unlikely that the proposed well will run continuously. Was the intent that the 475 acre-feet be the combined volume of existing Water Right No. 1826-1 along with the proposed well? If so, the combined pump rate of 0.267 cfs (No. 1826-1) and 0.66 cfs (your new application) equates to pumping about 71% of the time to reach 475 acre-feet.

Please let me know.

Thank you,

Ron Duvall
Dept. of Agriculture & Natural Resources
Office of Water, Water Rights Program
605.773.3352
danr.sd.gov



DANR
SOUTH DAKOTA

Received the maps. I have a question as to how far the area to be served extends to the north in Section 2. It is cut off on the map. Appears to include the NW ¼ SW ¼ Section 2? Any further north?
Karen

From: Kent Hagg <kenth@haggandhagg.com>
Sent: Friday, September 9, 2022 5:11 PM
To: Schlaak, Karen <Karen.Schlaak@state.sd.us>
Cc: Kent Hagg <kenth@haggandhagg.com>
Subject: RE: [EXT] water permit application for Golden Valley Water Company LLC

Karen,

The first email cut the bottom of the illustration off, a full scan is attached to this email. Have a good weekend.

From: Kent Hagg
Sent: Friday, September 09, 2022 3:55 PM
To: Schlaak, Karen <Karen.Schlaak@state.sd.us>; Kent Hagg <kenth@haggandhagg.com>
Subject: RE: water permit application for Golden Valley Water Company LLC

Karen,

I have attached 2 illustrations.

From: Schlaak, Karen [<mailto:Karen.Schlaak@state.sd.us>]
Sent: Tuesday, September 06, 2022 3:39 PM
To: Kent Hagg <kenth@haggandhagg.com>
Subject: water permit application for Golden Valley Water Company LLC

Kent,
I left a message that you should call me. There is another item that needs to be addressed regarding the application. The map submitted shows the well location. The map needs to also outline the entire area where the water is to be used including the areas of future development.

Let me know if you have questions.

Karen Schlaak

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



Duvall, Ron

From: Michael Towey <mtowey@toweydesigngroup.com>
Sent: Thursday, September 22, 2022 12:24 PM
To: Duvall, Ron; Kent Hagg
Cc: Schlaak, Karen
Subject: RE: [EXT] Water Permit Application for Golden Valley Water Co.

Ron,

I believe so ... yes.

Thanks, Mike

From: Duvall, Ron <Ron.Duvall@state.sd.us>
Sent: Thursday, September 22, 2022 10:37 AM
To: Michael Towey <mtowey@toweydesigngroup.com>; Kent Hagg <kenth@haggandhagg.com>
Cc: Schlaak, Karen <Karen.Schlaak@state.sd.us>
Subject: RE: Water Permit Application for Golden Valley Water Co.

Mike,

I want to make sure we are on the same page – you are requesting to change the application from 0.66 cfs to 1.09 cfs and leave the annual volume at 470.5 ac-ft annually which represents pumping at a rate of 1.09 cfs for 60% of the time?

Thank you,

Ron

From: Michael Towey <mtowey@toweydesigngroup.com>
Sent: Thursday, September 22, 2022 10:13 AM
To: Duvall, Ron <Ron.Duvall@state.sd.us>; Kent Hagg <kenth@haggandhagg.com>
Cc: Schlaak, Karen <Karen.Schlaak@state.sd.us>
Subject: RE: [EXT] Water Permit Application for Golden Valley Water Co.

Ron and Karen,

Think I let this slip a little bit.

Attached is the overview map mentioned below.

We have also updated the requested rates based on the pumps running no more that 60% of the time. The new rates would be 1.09 cfs or 781.4 ac-ft per year.

Please let me know if this resolves our discussion below or if there are further questions I can answer.

Thanks, Mike

From: Duvall, Ron <Ron.Duvall@state.sd.us>
Sent: Thursday, September 15, 2022 7:51 AM
To: Michael Towey <mtowey@toweydesigngroup.com>; Kent Hagg <kenth@haggandhagg.com>
Cc: Schlaak, Karen <Karen.Schlaak@state.sd.us>
Subject: RE: Water Permit Application for Golden Valley Water Co.

Mike,

Yes, maximum values are the correct figures to use both in terms of rate (cfs) and volume (acre-feet). Right now a volume of 470.5 acre-feet represents nearly continuous pumping at a rate of 0.66 cfs. Given this, it appears that the 0.66 cfs figure was derived working backwards from the volume when the rate should be the maximum pump rate from the well and not an average rate. It seems unlikely the well will be running 24 hours a day, 365 days a year. However, if the rate you want to specify is a maximum of 0.66 cfs, then we will begin processing the application with the numbers provided.

Thank you,

Ron

From: Michael Towey <mtowey@toweydesigngroup.com>
Sent: Wednesday, September 14, 2022 3:36 PM
To: Kent Hagg <kenth@haggandhagg.com>; Duvall, Ron <Ron.Duvall@state.sd.us>
Cc: Schlaak, Karen <Karen.Schlaak@state.sd.us>
Subject: RE: [EXT] Water Permit Application for Golden Valley Water Co.

Ron and Karen,

Please see attached for overview map and quick calculations for pumping rate, we were under the impression to use peak flow usage in our calculations. So our request is basically for worst case scenario.

At this time, there is no intent to connect the existing well to the new system.

Thanks, Mike



TOWEY DESIGN GROUP, INC.

475 Villa Drive, Suite #3 | Box Elder, SD 57719
605.600.3758 | mtowey@toweydesigngroup.com

From: Kent Hagg <kenth@haggandhagg.com>
Sent: Monday, September 12, 2022 4:32 PM
To: Duvall, Ron <Ron.Duvall@state.sd.us>
Cc: Schlaak, Karen <Karen.Schlaak@state.sd.us>; Michael Towey <mtowey@toweydesigngroup.com>
Subject: RE: Water Permit Application for Golden Valley Water Co.

Don,



**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. 2022-1, Golden Valley Water Company LLC**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Water Permit Application No. 2022-1, Golden Valley Water Company LLC, c/o Kent Hagg, PO Box 8452, Rapid City SD 57709.

The Chief Engineer is recommending APPROVAL of Application No. 2022-1 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) existing domestic water use and water rights will not be unlawfully impaired, 3) the proposed use is a beneficial use and, 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 2022-1 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. 2022-1 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 this Permit 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. 2022-1 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. 2022-1 appropriates up to 470.5 acre-feet of water annually.

See revised report on application for additional information.

Eric Gronlund, Chief Engineer
October 28, 2022

**Report to the Chief Engineer on
Water Permit Application No. 2022-1**

Golden Valley Water Company, LLC
6 October 2022

Water Permit Application No. 2022-1 seeks to appropriate 470.5 acre-feet of water per year (ac-ft/yr) at a maximum instantaneous diversion rate of 1.09 cubic feet of water per second (cfs) from one new well to be completed into the Madison aquifer (approximately 3,600 feet deep) located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11-T3N-R7E. The water is for use in a water distribution system either located in, or with expansion plans in, portions of W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2; NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11; all in T3N-R7E. This site is located approximately 5 miles east of Summerset, South Dakota.

Aquifer: Madison Limestone (MDSN)

Hydrogeologic Characteristics

The Madison Group in South Dakota is a Lower Mississippian and Upper Devonian group of formations that in the Black Hills consists of the Englewood and Pahasapa Limestone formations [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]. It crops out in the Black Hills and is buried elsewhere in South Dakota [3]. The Madison aquifer may be hydrologically connected to the underlying Deadwood aquifer. It is also hydrologically connected to the overlying Minnelusa aquifer [5].

The applicant did not submit a well completion report with their application, but sufficient geological information is available to analyze the requirements of this report. Interpolated contours of the structure of the Deadwood and Madison Formations indicate the top of the Deadwood Formation is approximately 200 feet below NGVD29 [8] and the top of the Madison Group is approximately 350 feet above NGVD29 [9], providing an estimated aquifer thickness of 550 feet. Interpolated contours of the potentiometric surface of the Madison aquifer indicates water would rise to an elevation of approximately 3,100 feet above NGVD29 in the applicant's proposed well [10]. Land surface at the location of the proposed well is approximately 3,100 feet above NGVD29 [11], so depending on the exact conditions encountered if this application is developed, the proposed well for this application may flow at land surface.

Applicable South Dakota Codified Law (SDCL)

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued 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 domestic water

uses and water rights, and that the proposed use is a beneficial use and in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board. This report will only assess the availability of water and possibility of developing this application without unlawful impairment of existing domestic water uses and 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 Madison aquifer is older and stratigraphically lower than the Greenhorn Formation and the applicant is a water distribution system as defined in SDCL 46-1-6(17). Therefore, the Water Management Board's authority to approve this application is not restricted by whether or not recharge exceeds withdrawals. However, a statewide and local hydrologic budget is included in this report 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 [10]. 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 [12] 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 [12]. Rahn and Gries [12, p. 15] 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. The Woodward-Clyde Consultants report did not acknowledge the fact that the Rahn and Gries [12] report estimated minimum recharge for a larger group of formations than the Woodward-Clyde Consultants report covers, and therefore is likely to overestimate recharge to the Madison aquifer [11].

Carter, Driscoll, and Hamade [10] 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 [10]. Carter, Driscoll, and Hamade [10] estimated 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 [10] 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 [10] 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 withdrawals by domestic and appropriative wells [13]. Due to the presence of overlying aquifers and water distribution systems in many areas of the aquifer, domestic well withdrawals are a negligible portion of the hydrologic budget of the Madison aquifer. There are 162 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 [14].

Of the 162 active water rights/permits, 97 are primarily for some type of water distribution system (rural water system, municipal, etc), 31 primarily for irrigation, 14 for commercial use, 11 for industrial use, four for domestic use, two for geothermal use, two for institutional use, and one for recreation [15]. Estimated withdrawals for irrigation use are shown in Table 2. When there were more than 10 years of irrigation reports available, the average reported irrigation was used to estimate irrigation withdrawals. When there were fewer 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 for non-irrigation uses. 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 [14]

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 the same 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 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; thus, 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 [15].

There are 39 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, so the volume limit listed on their permits is assumed to be their total appropriation. The total volume limit listed by such permits is 21,971 ac-ft/yr.

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Table 2: Permits with irrigation listed as one beneficial use, or are connected to an irrigation permit [14] [16]

Permit No.	Name/Business	Priority	Diversion rate (cfs)	Acres Licensed/ Permitted	Average Report (ac-ft)	Number of 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	07/27/2017	1.110	100.00	0.0	4	200.0	0.0	200.0
1635-1	Black Hills National Cemetery	04/02/1990	0.820	54.50	94.8	26	94.8	356.4	451.2
1452-1	Black Hills State College	12/19/1988	3.330	25.44	20.3	33	20.3	1,447.5	1,467.8
1670-1	Buddy L. Peggy A. Kami S Ireland	06/09/1998	3.610	253.00	47.5	24	*	*	*
1096A-1	Butte Meade Sanitary Dist	04/16/1976	1.330	0.00	N/A	0	*	*	963.5
2458-2	City Of Rapid City	03/30/2001	0.800	107.00	104.4	21	104.4	0.0	104.4
2002-1	City Of Spearfish	12/28/2020	1.330	40.00	0.0	1	80.0	0.0	80.0
2313-2	Coca-Cola Bottling	04/08/1994	0.330	3.00	7.3	27	7.3	143.4	150.7
1899-1	Davis Ranches Inc	08/25/2008	1.430	100.00	0.0	13	0.0	0.0	0.0
1650-1	Dennis L Miller	04/03/1997	0.890	0.00	N/A	0	*	*	55.9
2673-2	Diocese Of Rapid City	05/27/2011	0.120	7.00	8.0	9	14.0	0.0	14.0
1009-1	Donald F/Ann J Brady	02/01/1974	0.780	53.73	30.4	40	30.4	0.0	30.4
1185-1		01/18/1979	0.380	27.52	110.3	40	110.3	***	110.3
2286-2	Donald Konechne	04/28/1993	0.100	38.50	10.2	28	10.2	0.0	10.2
1707A-1	Elkhorn Ridge @ Frawley Ranches LLC	01/06/2000	3.705	100.00	0.0	4	0.0	223.5	223.5
1707E-1		01/06/2000	0.000	**	9.1	15	9.1	0	9.1
1931-1		08/17/2012	0.170	3.30	3.2	9	6.6	73.9	80.5
1945-1	Frawley Ranches LLC	02/10/2014	1.110	265.00	50.7	8	530.0	0.0	530.0
1858-1	Glencoe Camp Resort II LLC	03/08/2006	0.860	34.00	0.0	16	0.0	373.8	373.8
2593-2	Hart Ranch Development	06/15/2006	0.490	72.50	19.9	15	19.9	213.0	232.9
1911-2	Hart Ranch Development Co	09/27/1984	0.880	124.00	120.1	28	120.1	382.5	502.6
1725-2	Janice R Crowser	08/20/1980	1.070	75.10	1.0	23	1.0	0.0	1.0
2012-1	Jesse Horstmann	12/23/2021	0.500	43.50	N/A	0	87.0	0.0	87.0
858-2	John & Heidi McBride	02/05/1965	9.360	655.75	6.7	38	6.7	0.0	6.7
1885-1	John T & Veronica Widdoss	04/09/2007	0.110	22.00	16.8	5	44.0	35.7	79.7
1960-1	One Diamond Inc	04/11/2016	1.280	150.00	148.9	6	300.0	556.4	856.4
1223-1	P & L Water And Hay LLP	03/10/1981	0.670	263.00	195.4	40	195.4	0.0	195.4
1923-1	Roger & Jean Ranschau	02/15/2011	0.110	3.00	1.0	10	6.0	47.8	53.8
2013-1	Santa Maria Land & Cattle Corp	01/18/2022	2.220	460.00	N/A	0	920.0	0.0	920.0
1363-1	Spearfish Canyon Cntry Cl	09/15/1986	0.900	80.10	63.3	35	63.3	0.0	63.3
2106-2	Stuart Rice	06/06/1990	0.080	2.80	0.8	30	0.8	34.8	35.6
1842-1	Tom C Davis	04/05/2005	0.440	330.00	0.0	17	0.0	0.0	0.0
2741-2	Tubbs Land & Cattle LLC	08/20/2018	3.340	567.00	149.5	3	1,134.0	0.0	1,134.0
419-2	Wind Cave National Park	12/29/1955	0.150	6.00	N/A	0	12.0	65.2	77.2
Total			43.805	4,061.74	1,219.8	568	4,127.8	3,953.9	9,101.1

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

There are 89 non-irrigation water rights/permits that do not have a volume limit listed in their permit and are not discussed above. They are estimated to withdraw up to their maximum instantaneous diversion rate 60% of the time, for a total estimated withdrawal of 16,897 ac-ft/yr. Based on Water Rights Staff experience, this estimate is likely to be higher than the actual withdrawals by those water rights/permits.

In addition to the potential withdrawals by future use permits described above, four other applications are deferred, held in abeyance, or pending review. 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. 2016-1 seeks to appropriate up to 1,600 ac-ft/yr and is pending completion of findings of facts, conclusions of law, and final decision on the matter by the Water Management Board.

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. The total estimated withdrawal, including withdrawals reserved for future use and held, or deferred applications is approximately 66,167 ac-ft/yr. This application may withdraw up to 470.5 ac-ft/yr, if approved. 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 rounded to the nearest 1 acre-foot.

Type	Count	Est. Rate (ac-ft/yr)
Irrigation (Table 2)	34	9,101
Volume limit	39	21,971
Diversion Rate limit	89	16,897
<i>Subtotal (authorized to withdraw)</i>	<i>162</i>	<i>47,969</i>
Future use (Table 1)	10	14,109
Deferred/held/pending	3	4,089
Grand total	175	66,167

Local Hydrologic Budgets

There are two studies which performed a local hydrologic budget in the area of this application. Local hydrologic budgets in bedrock aquifers are not management units. Information regarding local hydrologic budgets in bedrock aquifers is provided for the information of the Chief Engineer and Water Management Board.

Carter, et al.

Carter, et al. 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 3 of their report. The boundaries of the Carter et al. [13] subareas were selected to minimize flow across subarea boundaries. Carter et al. [13] estimated the total recharge to the Madison and Minnelusa aquifers in Subarea 3 was 12.3 cfs. Assuming 55% of the recharge goes to the Madison aquifer, the estimated recharge in Subarea 3 is 6.77 cfs, or approximately 4,900 ac-ft/yr [10] [13]. Carter, et al. [13] do not provide values for the recharge area of the Madison and Minnelusa formations for each subarea in their report, so it is possible the proportion of recharge area to those two aquifers is different within each subarea. There are 12 water rights/permits authorized to withdraw, and 4 future use permits reserving water, from the Madison aquifer in Subarea 3. Domestic well withdrawals are negligible on the scale of this hydrologic budget. Using the same methods as in the Statewide Discharge section, estimated withdrawals within Carter, et al. Subarea 3 are 10,856 ac-ft/yr. This application may withdraw up to 470.5 ac-ft/yr, if approved. It is possible that the withdrawal estimates are higher than the true average annual withdrawal and the recharge estimates (including induced recharge from outside the study area or subarea) are lower than actual recharge to the subarea of the Madison aquifer. Therefore,

based on the local hydrologic budget in combination with other information available, there is reasonable probability unappropriated water is available for this application.

Table 4: Estimated withdrawals in Carter et al. [13] Subarea 3

Type	Count	Est. Use (ac-ft/yr)
Irrigation	0	0
Volume Limit	5	1,461
Sixty Percent	7	442
Subtotal (authorized to withdraw)	12	1,903
Future Use	4	8,953
Pending/Deferred/held	0	0
Grand total	16	10,856

Long and Putnam

Long and Putnam [5] analyzed groundwater flow of the Madison and Minnelusa aquifers in the area near Rapid City, including the area for this application. One product of that analysis was a hydrologic budget for water years 1988 through 1997. Long and Putnam [5] estimated that in their study area, streamflow recharge was 38.8 cfs, precipitation recharge as 16.1 cfs, and groundwater inflow from the Deadwood aquifer was 6.3 cfs, for a total of 61.2 cfs flowing into the Madison and Minnelusa aquifers. Assuming 55% of that value goes to the Madison aquifer, recharge to the Madison aquifer in the area of the Long and Putnam study is 33.7 cfs, equivalent to approximately 24,400 ac-ft/yr. The estimated withdrawal from the Madison aquifer in the Long and Putnam study area, including appropriations reserved for future use and other pending applications is 43,943 ac-ft/yr. This application seeks to appropriate up to 470.5 ac-ft/yr. Observation well data suggests that hydraulic head in the Madison aquifer remains relatively stable in nearby observation wells, so it is possible the potentiometric surface of the aquifer changed after the Long and Putnam study was completed. Based on Water Rights Staff experience, it is also likely that annual withdrawals estimated by assuming the permit holder withdraws at 60% of their maximum licensed/permitted rate is higher than the true value. Therefore, based on the local hydrologic budget, there is reasonable probability unappropriated water is available for this application.

Table 5: Estimated withdrawals in Long and Putnam [5] study area

Type	Count	Est. Use (ac-ft/yr)
Irrigation	8	1,250
Volume Limit	16	12,534
Sixty Percent	37	19,606
Subtotal (authorized to withdraw)	61	33,390
Future Use	4	8,953
Pending/Deferred/held	1	1,600
Grand total	66	43,943

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 recharge exceeds withdrawals to approve an application. The Water Rights Program maintains 25 observation wells completed into the Madison aquifer [17]. The nearest observation well to this application is MD-94A, located approximately 6 miles west of this application [17]. Water levels in Observation Well MD-94A from 2004 through 2013 are likely to be inaccurate due to a leak in the well's casing which was subsequently repaired. The next nearest observation wells to this application are Observation Wells MD-90A and PE-95C, located approximately 10 miles northwest and 9 miles southwest of this application, respectively. Figure 1 shows water levels in those three observation wells over the period of record [17]. Given the distance between this application and the observation wells, water levels in the observation wells are unlikely to represent the specific conditions of the Madison aquifer at the site of this application. However, they do represent the general behavior of the Madison aquifer. In general, water levels rise during periods of higher-than-average rainfall and decline during periods of lower-than-average rainfall. 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.

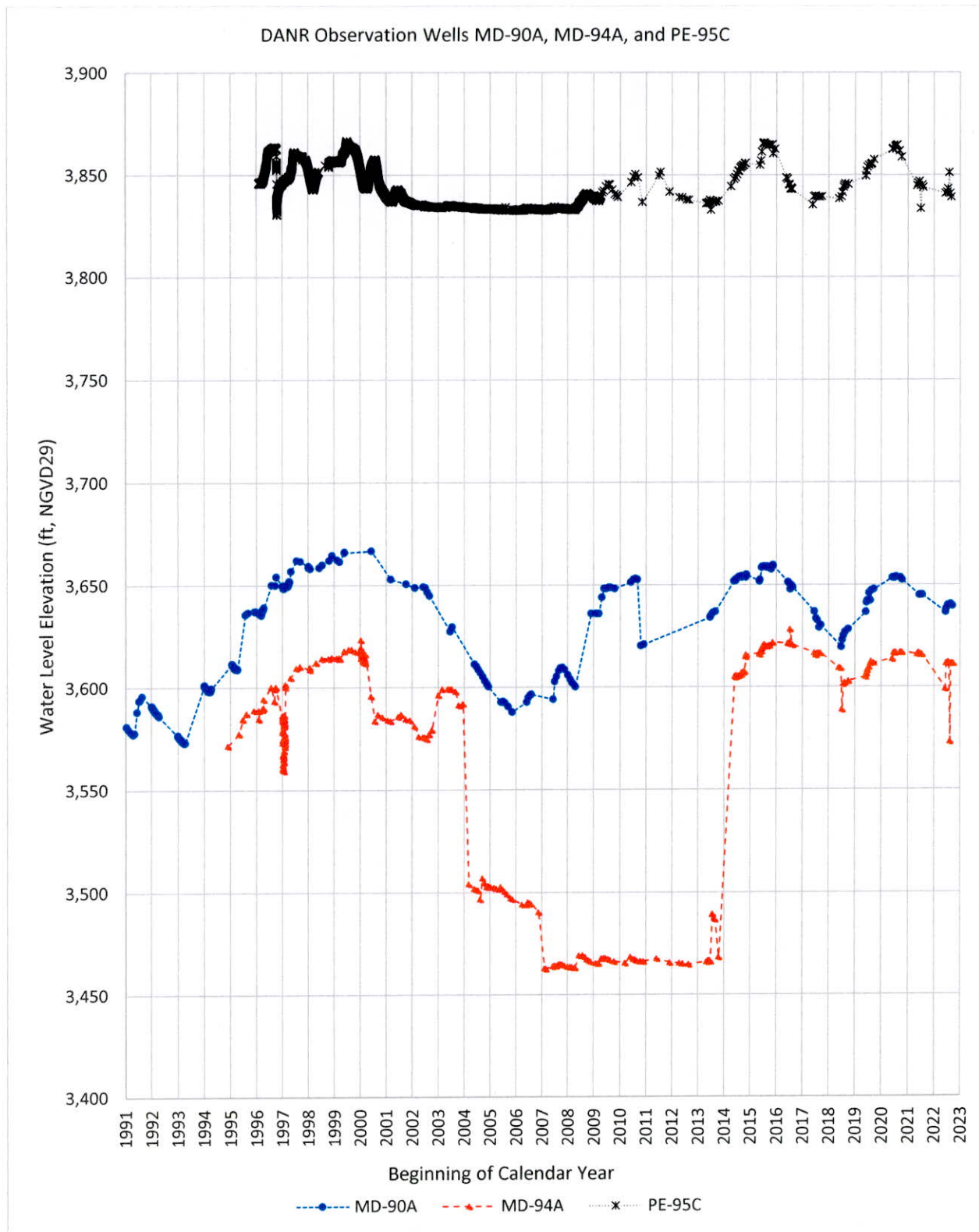


Figure 1: Water level elevations in selected DANR observation wells [17]

Potential for Unlawful Impairment of Existing Water Rights

The nearest water right/permit to this application completed into the Madison aquifer is Water Right No. 1642-1, located approximately 3.5 miles southwest of the proposed well for this application [14]. There are no domestic wells on file with the Water Rights Program that are nearer to this application than the nearest water right and are likely to be completed into the Madison aquifer [18]. 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, a water right/permit causes an adequate domestic well to be unable to withdraw at the rate needed to supply reasonable domestic use of water. Administrative Rule of South Dakota 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 [19]. Some drawdown from this application is likely to occur and nearby well owners may need to lower their pumps or install pumps to access the water in the aquifer. Exact aquifer behavior cannot be known without an aquifer performance test. The applicant must control their withdrawals so that nearby water rights/permits and adequate domestic wells are able to withdraw necessary water. There is no record of well interference complaints from the Madison aquifer in Meade County [20]. Observation wells completed into this aquifer near larger appropriative wells show limited drawdown when the large appropriative wells are in use [17]. Given the lack of well interference complaints in this aquifer in Meade County and limited drawdown shown in observation wells completed near larger appropriations, there is reasonable probability this application can be developed without unlawful impairment of existing water rights.

Springs

The nearest major springs to this application are Elk Creek Springs, located approximately 8 miles west of the proposed well for this application [21]. 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" [22]. 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. 2022-1 seeks to appropriate 470.5 ac-ft/yr at a maximum instantaneous diversion rate of 1.09 cfs from one new well to be completed into the Madison aquifer located in the NW ¼ NW ¼ Section 11-T3N-R7E.

2. The water in this application is for use in a water distribution system either located in, or with expansion plans in, portions of W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2; NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11; all in T3N-R7E.
3. Based on the hydrologic budget and observation well records, there is reasonable probability unappropriated water is available for this application.
4. There is reasonable probability this application can be developed without unlawful impairment of existing water rights and domestic uses.
5. This application is subject to the 20-year term limit qualification.

Kimberly C Drennon 10/28/2022

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DANR Water Rights Program

References

- [1] M. D. Fahrenbach, F. V. Steece, J. F. Sawyer, K. A. McCormick, G. L. McGillivray, L. D. Schulz and J. A. Redden, "South Dakota Stratigraphic Correlation Chart," SD DANR Geological Survey Program, Vermillion, South Dakota, 2010. Oil and Gas Investigation 3.
- [2] J. E. Martin, J. F. Sawyer, M. D. Fahrenbach, D. W. Tomhave and L. D. Schulz, "Geologic Map of South Dakota," SD DANR Geological Survey Program, Vermillion, South Dakota, 2004. General Map 10.
- [3] J. S. Downey, "Geohydrology of the Madison and associated aquifers in Parts of Montana, North Dakota, South Dakota, and Wyoming," United States Geological Survey, Alexandria, Virginia, 1984. Professional Paper 1273-G.
- [4] J. M. Carter, D. G. Driscoll, J. E. Williamson and V. A. Lindquist, "Atlas of water resources in the Black Hills area, South Dakota," United States Geological Survey, 2002. Hydrologic Atlas 747.
- [5] A. J. Long and L. D. Putnam, "Flow-system analysis of the Madison and Minnelusa aquifers in the Rapid City area, South Dakota - Conceptual model," United States Geological Survey, Rapid City, South Dakota, 2002. Water-Resources Investigations Report 02-4185.
- [6] J. M. Carter and J. A. Redden, "Altitude of the top of the Deadwood Formation in the Black Hills Area, South Dakota," United States Geological Survey, Denver, Colorado, 1999. Hydrologic Investigations Atlas 744-E.

- [7] J. M. Carter and J. A. Redden, "Altitude of the top of the Madison Limestone in the Black Hills area, South Dakota," United States Geological Survey, Denver, Colorado, 1999. Hydrologic Investigations Atlas 744-D.
- [8] M. L. Strobel, J. M. Galloway, G. R. Hamade and G. J. Jarrell, "Potentiometric Surface of the Madison Aquifer in the Black Hills Area, South Dakota," United States Geological Survey, Denver, Colorado, 2000. Hydrologic Investigations Atlas HA-745-D.
- [9] Intermap, "IFSAR 5-meter Digital Elevation Model," Not published. Pierre, South Dakota, 2008.
- [10] J. M. Carter, D. G. Driscoll and G. R. Hamade, "Estimated recharge to the Madison and Minnelusa aquifers in the Black Hills Area, South Dakota and Wyoming, Water Years 1931-98," United States Geological Survey, Rapid City, South Dakota, 2001. Water-Resources Investigations Report 00-4278.
- [11] Woodward-Clyde Consultants, "Well-field hydrology technical report for the ETSI coal slurry pipeline project," United States Department of Interior Bureau of Land Management, 1981.
- [12] P. H. Rahn and J. P. Gries, "Large springs in the Black Hills, South Dakota and Wyoming." SD DANR Geological Survey Program, Vermillion, South Dakota, 1973. Report of Investigations 107.
- [13] J. M. Carter, D. G. Driscoll, G. R. Hamade and G. J. Jarrell, "Hydrologic budgets for the Madison and Minnelusa aquifers, Black Hills of South Dakota and Wyoming, Water Years 1987-96," United States Geological Survey, Rapid City, South Dakota, 2001. Water-Resources Investigations Report 01-4119.
- [14] SD DANR Water Rights Program, "Water right permit file database," SD DANR Water Rights Program. Pierre, South Dakota, 2022.
- [15] W. K. Kilts, "Report to the Chief Engineer on Water Permit Application No. 1987-1," DANR Water Rights Program, Joe Foss Bldg., Pierre, South Dakota, 2019.
- [16] SD Water Rights, "Irrigation reports," SD DANR Water Rights Program, Joe Foss Bldg., Pierre, South Dakota, 2021.
- [17] SD DANR Water Rights Program, "Observation wells," Pierre, South Dakota, 2022.
- [18] SD DANR Water Rights Program, "Well-completion report database," SD DANR Water Rights Program, Joe Foss Bldg., Pierre, 2022.

- [19] South Dakota Water Management Board. *On the Matter of Water Permit Application No. 2313-2 for Coca Cola Bottling Company*, 1995.
- [20] SD DANR Water Rights Program, "County Files," SD DANR Water Rights Program, Joe Foss Bldg., Pierre, South Dakota, 2022.
- [21] C. A. Naus, D. G. Driscoll and J. M. Carter, "Geochemistry of the Madison and Minnelusa aquifers in the Black Hills area, South Dakota," United States Geological Survey, Rapid City, South Dakota, 2001. Water-Resources Investigations Report 01-4129.
- [22] South Dakota Water Management Board. *Finding of Facts, Conclusions of Law, and Final Decision on the Matter of Water Permit Application No. 2585-2*, 1997.

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, November 1, 2022 10:24 AM
To: mtowey@toweydesignngroup.com
Subject: Water Permit Application No. 2022-1
Attachments: 2022-1_rec.pdf

Attached is a copy of the report and recommendation for Golden Valley Water Company LLC.

Karen Schlaak

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



RECEIVED

NOV 28 2022

OFFICE OF
WATER

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Mead) SS

Kris Stocklin-Johnson

certify that the attached printed Notice was taken
from the Faith Independent

printed and published in Faith

County of Mende and

state of South Dakota. The notice was published

in the newspaper on the following date:

11/9/2022

Cost of Printing

\$42.18

Kris Stocklin-Johnson
(Signature)

Editor

(Title)

11/23/22
(Date Signed)

he Faith Independent • 13

NOTICE OF
APPLICATION
NO. 2022-1 to
Appropriate Water

Notice is given that Golden Valley Water Company LLC, c/o Kent Hagg, PO Box 8452, Rapid City SD 57709 has filed an application for a water permit to appropriate 470.5 acre-feet of water annually at a maximum pump rate of 1.09 cubic feet of water per second (cfs) from one well to be completed into the Madison Aquifer (approximately 3,800 feet deep) located in the NW 1/4 NW 1/4 Section 11-T3N-R7E. The water is for use in a water distribution system either located in, or with expansion plans in portions of W 1/2 SW 1/4, SE 1/4 SW 1/4, SW 1/4 SE 1/4, W 1/2 NW 1/4, NE 1/4 NW 1/4 Section 2, NW 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4 Section 11; all in T3N-R7E. Currently, Water Right No. 1828-1 authorizes 0.267 cfs from one Madison well to serve the water company. This site is located approximately 7 miles east of Piedmont SD.

Pursuant to SDCL 48-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2022-1 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) existing domestic water uses and water rights will not be unlawfully impaired, 3) It is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.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 this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 48-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 48-2-9 and 48-2-11, or both. Any person

Continued on next page

14 • The Faith Independent

Continued from previous page
meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by November 21, 2022.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by November 21, 2022.

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 November 9, 2022 at the approximate cost of \$42.18 and may be viewed free of charge at www.sdpublic-notices.com.

*** Proof of Publication ***

STATE OF SOUTH DAKOTA)

County of Pennington)

SS:

S.D. DANR - GROUND WATER

523 E CAPITOL AVE

PIERRE SD 57501

ORDER NUMBER 52074

RECEIVED

NOV 14 2022

OFFICE OF
WATER

The undersigned, being duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, a clerk of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published for at least one year prior to the first date of the published notice.

This affidavit is a true and corrected copy of notice which appeared

in said newspaper once each day for 1
successive day, the first publication there of being on the
9 day of November, 20 22.

Section: Legal

Category: 0072 Public Notices

PUBLISHED ON: 11/09/2022

TOTAL AD COST: 79.40

FILED ON: 11/9/2022

Subscribed and sworn to before me this

9th day of November, 20 22.
Kelly L. Kanaan Notary Public

My commission expires

Jan 17, 20 25



NOTICE OF APPLICATION NO.
2022-1 to Appropriate Water

Notice is given that Golden Valley Water Company LLC, c/o Kent Hagg, PO Box 8452, Rapid City SD 57709 has filed an application for a water permit to appropriate 470.5 acre-feet of water annually at a maximum pump rate of 1.09 cubic feet of water per second (cfs) from one well to be completed into the Madison Aquifer (approximately 3,600 feet deep) located in the NW 1/4 NW 1/4 Section 11-T3N-R7E. The water is for use in a water distribution system either located in, or with expansion plans in portions of W 1/2 SW 1/4, SE 1/4 SW 1/4, SW 1/4 SE 1/4, W 1/2 NW 1/4, NE 1/4 NW 1/4 Section 2; NW 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4 Section 11; all in T3N-R7E. Currently, Water Right No. 1826-1 authorizes 0.267 cfs from one Madison well to serve the water company. This site is located approximately 7 miles east of Piedmont SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2022-1 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) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.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 this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by November 21, 2022.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's rea-

sons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by November 21, 2022.

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 November 9, 2022 for a total approximate cost of \$79.40 and may be viewed for free at www.sdpublicnotices.com)
Legal No: 52074

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, November 1, 2022 9:56 AM
To: Kent Hagg
Subject: FW: Water Permit Application No. 2022-1
Attachments: 4346.pdf

Opps! Forgot the attachment.

My advice would be to wait to contact the Rapid City Journal until I forward you the information they send me which contains the Customer Ad Proof and an ad number. That is usually sent to me in about 5 days.

Karen

From: Schlaak, Karen
Sent: Tuesday, November 1, 2022 9:48 AM
To: 'Kent Hagg' <kenth@haggandhagg.com>
Subject: Water Permit Application No. 2022-1

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(s) as soon as possible to authorize publication and arrange for payment. This information is being mailed to you today.

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 NEWSPAPERS RIGHT AWAY.**

November 1, 2022

Golden Valley Water Company LLC
c/o Ken Hagg, President
PO Box 8452
Rapid City SD 57709

Dear Mr. Hagg:

Water Permit Application No. 2022-1 for water distribution system use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Faith Independent printed at Faith (Ph # 605 967-2161) and the Rapid City Journal printed at Rapid City (Ph # 605 394-8336). You will need to contact the newspapers 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 newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization from you, the publishers have been instructed to publish your notice. The newspapers have 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. 2022-1 to Appropriate Water

Notice is given that Golden Valley Water Company LLC, c/o Kent Hagg, PO Box 8452, Rapid City SD 57709 has filed an application for a water permit to appropriate 470.5 acre-feet of water annually at a maximum pump rate of 1.09 cubic feet of water per second (cfs) from one well to be completed into the Madison Aquifer (approximately 3,600 feet deep) located in the NW 1/4 NW 1/4 Section 11-T3N-R7E. The water is for use in a water distribution system either located in, or with expansion plans in portions of W 1/2 SW 1/4, SE 1/4 SW 1/4, SW 1/4 SE 1/4, W 1/2 NW 1/4, NE 1/4 NW 1/4 Section 2; NW 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4 Section 11; all in T3N-R7E. Currently, Water Right No. 1826-1 authorizes 0.267 cfs from one Madison well to serve the water company. This site is located approximately 7 miles east of Piedmont SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2022-1 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) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

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Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, November 1, 2022 9:45 AM
To: RCY Legals (legals@rapidcityjournal.com)
Subject: 2022-1, Golden Valley Water Company LLC
Attachments: 2022-1public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on November 9, 2022.

Golden Valley Water Company LLC, c/o Gary Hagg, PO Box 8452, Rapid City SD 57709 (605 391-2205 or 605 348-1125) 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>



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, November 1, 2022 9:44 AM
To: 'faithind@faithsd.com'
Subject: 2022-1, Golden Valley Water Company LLC
Attachments: 2022-1public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on November 9, 2022.

Golden Valley Water Company LLC, c/o Gary Hagg, PO Box 8452, Rapid City SD 57709 (605 391-2205 or 605 348-1125) has been notified to contact you to authorize publication and arrange for payment.

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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

DEC 08 2022

Golden Valley Water Company LLC
c/o Kent Hagg
PO Box 8452
Rapid City SD 57709

Dear Mr. Hagg:

Enclosed is Water Permit No. 2022-1 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

email: Michael Towey, Towey Design Group Inc

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, December 6, 2022 9:21 AM
To: Michael Towey
Subject: Water Permit No. 2022-1
Attachments: Untitled Extract Pages.pdf

Attached is a copy of the water permit issued to Golden Valley Water Company LLC.

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

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

**Affidavit of Public Notice
on DANR Website**

Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the application is contested, the posting is moved to the DANR contested case website at <https://danr.sd.gov/public/ContestedCase.aspx> until final action is taken on the application pursuant to SDCL § 46-2A-4.

Application No.: 2022-1

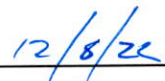
Name of Applicant: Golden Valley Water Company LLC, c/o Kent Hagg

Date of Posting: 11/7/2022

Date of Removal: 12/8/2022



Ron Duvall, Water Rights Permitting Administrator



Date

Subscribed and sworn to before me, a notary public, this 8th day of December, 2022.



Notary Public - South Dakota
My commission expires: 4/1/2025

