

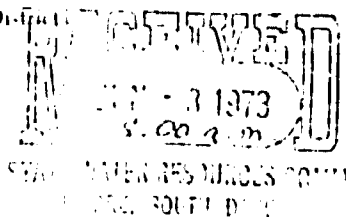
989-1

1. Considered JULY 18, 1973
2. Name of Applicant LARRY P BRANCH
3. Post Office Address STURGIS
4. Amount of water claimed .22
5. Source of water supply GROUND WATER (MINNELUSA)
6. Water to be used for SUBURBAN HOUSING
Acres to be irrigated _____
7. Water to be diverted and used in MEADE County
about 8N 6W miles _____ of RAPID CITY.
8. Proof of Publication Received 7-5-73
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

Map No. 817-1 Water Division No. 1 ELK CREEK
(Blanks to be filled by the Engineer for the W. P. C.)

APPLICATION FOR PERMIT



To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant TRAIL WEST DEVELOPMENT
Larry P. Branch ~~AND XXXXXXXXXXXXXXX~~
- Postoffice address 1902 Arizona, Sturgis State South Dakota
- If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract and direct labor
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) 100 gallons per minute
5. Source of water supply Underground - minnelusa sand
6. Location of point of diversion Lot 41B Trail West Subdivision lying in the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section Fourteen, Township Thirte North, Range Six East of Black Hills Meridian, County Meade
7. Annual period or periods during which water is to be used year around.
8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) Domestic use for approximately 105 lots in residential sub-division
9. For irrigation use, Total number of acres to be irrigated _____

List below each forty-acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 months years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Check of newspaper for Notice of Intent to Appropriate Water publication Sturgis Tribune, Sturgis, S.Dak.
12. Principal Features of the Proposed Water Supply System:

A. Works proposed to divert water from its natural source:

Submergable pump from deep well, pump to reservoir tank to be distributed to each lot in subdivision.

B. Works proposed to transport water to place of use

Underground pipe line

C. Works proposed to apply water to beneficial use:

Individual residential plumbing

Estimated Total Cost \$ 50,000.00

Attachments - Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Meade
Larry Branch

I, Larry Branch the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction

Subscribed and sworn to before me this 1st day of June 1973

Notary Public for other qualified officers

Dale R. Hansen
NOTARY PUBLIC

My Commission Expires Jan. 27, 1980

SURVEY PLAT
SHOWING LOCATION OF WELL IN NW¼ SW¼
SECTION 14, T. 3N., R. 6E., B.H.M.
MEADE COUNTY, S. DAK.

10 11
15 14
N.W. COR. SEC. 14
T. 3N., R. 6E., B.H.M.

SURVEYOR'S CERTIFICATE

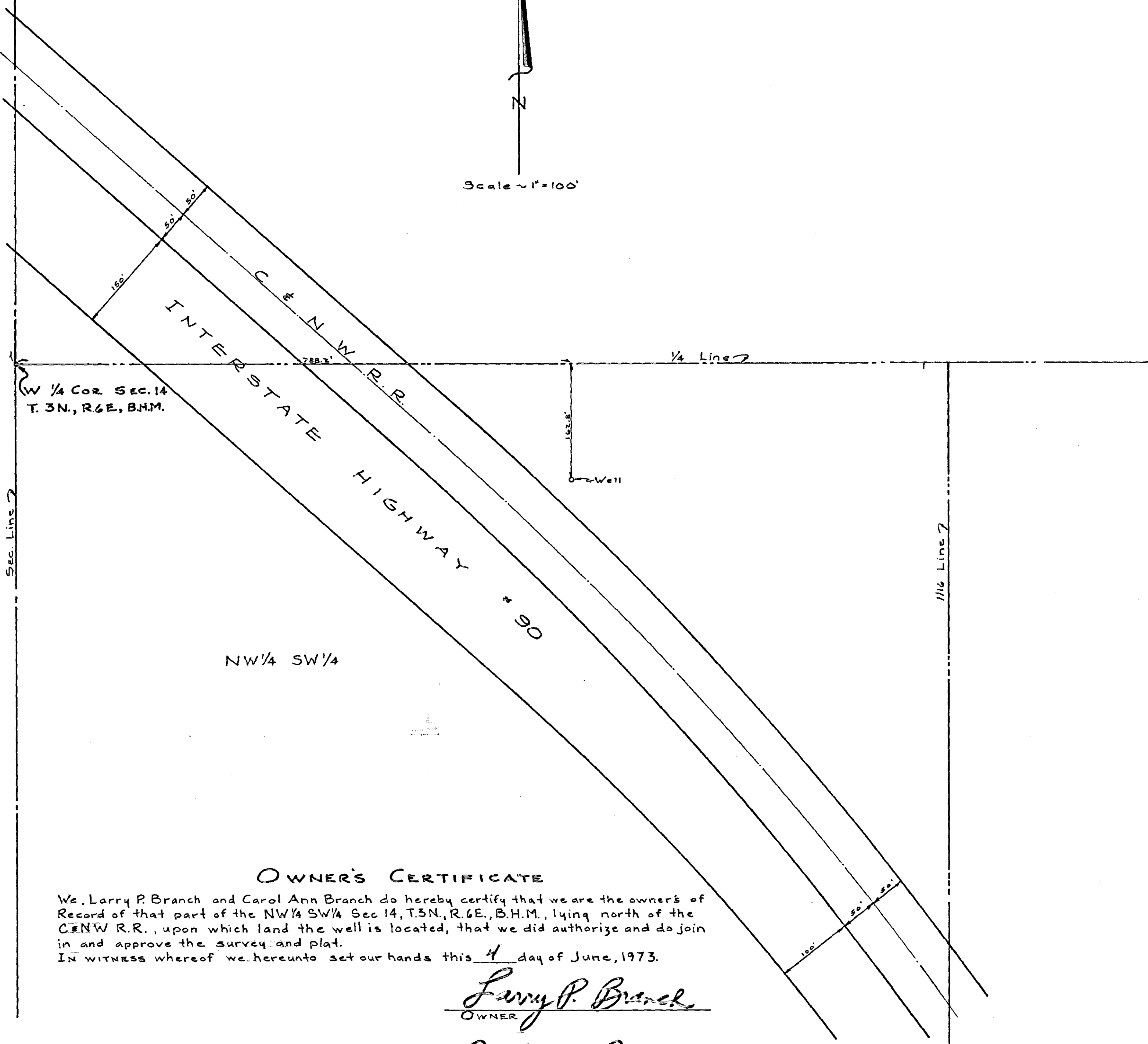
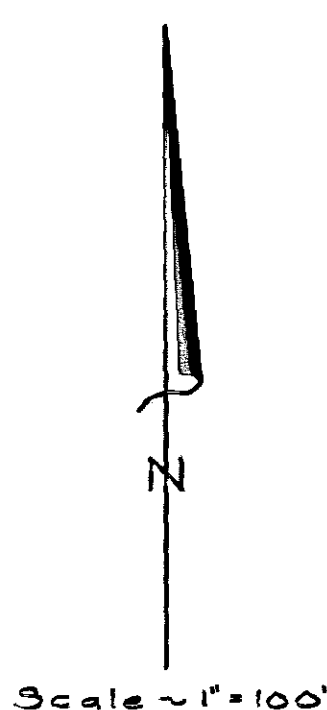
I, Ray M. Fraley, Registered Land Surveyor do hereby certify that on June 4, 1973, I did survey the location of well in NW¼ SW¼ Sec 14, T. 3N., R. 6E., B.H.M. and have shown the location hereon. All distances are true and correct. Witness my hand and seal this 4TH day of June, 1973.

STATE OF SOUTH DAKOTA } ss
COUNTY OF PENNINGTON }

On this 4TH day of June, 1973, before me the undersigned officer, personally appeared Ray M. Fraley, known to me to be the person who executed the foregoing Surveyor's Certificate and acknowledged to me that he executed the same for the purposes therein contained. In witness whereof I hereunto set my hand and official seal. My Commission Expires 3-28-78

Ray M. Fraley
Registered Land Surveyor #351

James C. Howard
NOTARY PUBLIC



OWNER'S CERTIFICATE

We, Larry P. Branch and Carol Ann Branch do hereby certify that we are the owners of Record of that part of the NW¼ SW¼ Sec 14, T. 3N., R. 6E., B.H.M., lying north of the C & N W.R.R., upon which land the well is located, that we did authorize and do join in and approve the survey and plat. In witness whereof we hereunto set our hands this 4 day of June, 1973.

Larry P. Branch
OWNER

Carol Ann Branch
OWNER

STATE OF SOUTH DAKOTA } ss
COUNTY OF Meade }

On this 4 day of June, 1973, before me the undersigned officer, personally appeared Larry P. Branch and Carol Ann Branch, known to me to be the persons who executed the foregoing Owner's Certificate and acknowledged to me that they executed the same for the purposes therein contained. In witness whereof I hereunto set my hand and official seal. My Commission Expires 1/22/1980

Dale R. Hansen
NOTARY PUBLIC

MAP NO. 817-1 (APPL. NO. 000-1)

RECEIVED
JUN - 3 1973
STAT. WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

WATER RIGHT APPLICATION APPROVAL

EDWIN E SMITH

The Water Resources Commission hereby approves Water Right Application No. 989-1

LARRY P BRANCH

(Applicant)

TRAIL WEST WATER, INC.

1406 ARIZONA STURGIS

(Post Office Address)

PIEDMONT

SOUTH DAKOTA

(State)

With the following modifications:

The ~~irrigation~~ well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The ~~irrigation~~ well owner, under this Permit, shall control his ~~irrigation~~ withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application JUNE 8 19 73
 Date of return to applicant for correction, amendments or changes required --- 19 ---
 Date of receipt of corrected application --- 19 ---
 Approved JULY 18 19 73 Recorded in Book 12 Page 228

WATER RIGHT PERMIT NO. 989-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 989-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JUNE 8 19 73
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 1 19 73
3. The whole of said work is to be completed on or before OCTOBER 18 19 73
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is OCTOBER 18 19 73
5. The water appropriated shall be used for the purpose of SUBURBAN HOUSING
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed .22 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for ~~irrigation~~ and it for the irrigation purposes said appropriation must be limited to not more than three feet per acre per year and be limited to not more than 1/70 of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before OCTOBER 18 19 73 said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 19th day of JULY 19 73

WATER RESOURCES COMMISSION

By:

Donald D. Daisell

Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 23 19 79

Water License Issued APRIL 23 19 79

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter 7 7/8", Depth 700' to 800' approximate

(2) Casing, Type Steel Diameter 7" OD Thickness 3"
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type Open hole, Diameter 6 1/4", Length 60 feet

(4) Gravel Pack. Thickness None, Length of gravel pack

E. Dugout Information or Estimates. Not applicable

(1) Surface dimensions , Depth

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Minnelusa sand stone

Depth to top of water bearing material 720'

Depth to bottom of water bearing material 780'

Thickness of water bearing material 60'

Depth to water (ground surface to water level) 50' to surface water

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property rds. On property owned by others 1/2 mile rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Larry P. Brank
Signature of Applicant

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 989-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Meade) ss.

I, Teresa Shoun hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Sturgis Tribune

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

B.H. Publishers, Inc. Sturgis

County of Meade and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

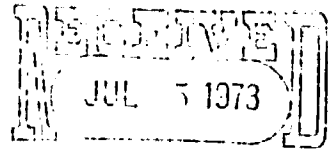
June 13, 20

Teresa Shoun
(Signature)

Bookkeeper
(Title)

June 29, 1973
(Date Signed)

B.H. Inc.



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

No. 989-1
NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
June 8, 1973
Notice is hereby given that Larry P.
Branch whose post office address is
Sturgis, South Dakota, has made an
application in accordance with the
provisions of the water laws of South
Dakota for a permit to appropriate for
beneficial use .22 cubic feet of water
per second of time from ground water
through the Branch Well, the point of
diversion of which is to be located in
the NW 1/4 SW 1/4 of Section 14, Twp. 1N,
Range 4E. Said water to be used for
the purpose of providing supplies for a
suburban housing development.
This application No. 989-1 will be
considered by the Water Resources
Commission at their office at Pierre
upon the 18th day of July, 1973, at 2
p.m. All interested persons may
appear and be heard.
WATER RESOURCES COM-
MISSION, By: Burton F. Jones,
BURTON F. JONES, Water Rights
Specialist
June 13, 20

Form 6 - Notice of Intent to Appropriate Water

989-1

Publish first publication, on or before July 4, 1973

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 6, 1973

Notice is hereby given that Larry P. Branch

whose post office address is Sturgis, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

.22

cubic feet of water per second of time from the ground water through the

Branch Well

, the point of diversion of which is to be located in the _____

NW 1/4 Sec 14

14

3N

6E

of Section _____, Twp. _____, Range _____. Said water to be used for the purpose

of providing irrigation water for supplies for a suburban housing development

989-1

This application No. _____ will be considered by the Water Resources Commission at their office at Pierre upon the 18th day of July, 1973, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Larry P. Branch, 1902 Arizona, Sturgis, S.D. 57785

Permit No. 989-1

Water Diversion No. 1 Elk Creek Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Trail West Development, Inc.

the holder of

Permit No. 989-1, issued upon Application No. 989-1 bearing date of priority of

June 8, 1973 authorizing the diversion of .22 cu. ft. per second of the waters of

groundwater (one well) County of Meade, State of South Dakota at a

point 788.2 feet East and 162.8 feet South from W $\frac{1}{4}$ Corner, Section 14 -

T3N - R6E, EHM

for suburban housing

purposes, have complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use .22 cu. ft. per second of water.

Date April 23, 1979

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Commission

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 989-1

(1) WHEREAS, On the 8th day of June A. D. 19 73
Larry P. Branch

made Water Right Application No. 989-1 for a permit to use .22 cubic feet per second of the waters
of groundwater (one well)

County of Meade, State of South Dakota, for Suburban Housing

purpose; and

(2) WHEREAS, On the 18th day of July A. D. 19 73

Permit No. 989-1 with a date of priority of June 8, 1973

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 18th day of October A. D. 19 73 and for the
application to beneficial use of said water on or before the 18th day of October A. D. 19 73

and Whereas, on the 3th day of July, 1977 the permit
was transferred to Trail West Development, Inc. of
Piedmont, South Dakota,

and;

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert .22 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,

water to be used in place for Suburban Housing purposes.

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm the Trail West Development, Inc.

_____ of Piedmont, South Dakota

the holder s and owner s of said permit No. 989-1 a water right, dating from June 8, 1973

_____ to use of .22 cubic feet per second of the waters of groundwater (one well)

in the County of Meade and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbefore mentioned, to be diverted at a point 788.2 feet East and 162.8 feet South from W $\frac{1}{4}$ Corner, Section 14 - T5N - R6E, B1M

and ~~xxxxxx~~ conducted thru the Suburban Housing water distribution system.

for the purpose of suburban housing use

Subject to any limitations listed in Water Right Permit No. 989-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 23rd day of April A. D.
Nineteen Hundred and Seventy-nine

WATER RIGHTS COMMISSION

By: John Hatch
(Chief Engineer, Executive Officer) JOHN HATCH

Permit No. 989-1Water Division 1 Elk Creek, Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Edwin E. Smith of Piedmont, S. Dak. holder of Permit No. 989-1, bearing date of priority of June 8, 1973 authorizing the diversion of 2.2 cu. ft. per second of the waters of Ground water domestic use for approximately for 105 lots in residential subdivision purposes, in Meadow County.

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

The Water Use System consists of,

A. Works used to divert the water:

7 1/2 hp. submersible pump in well
50,000 gallon storage tank. (concrete)

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

2 each Aurora pressure demand pumps, Type 341 BF,
RPM 1750, Size 2x12, Head 122 ft.
Plastic pipeline system to each lot.

C. Works used to apply water to beneficial use.

The system is in the following condition, Good.

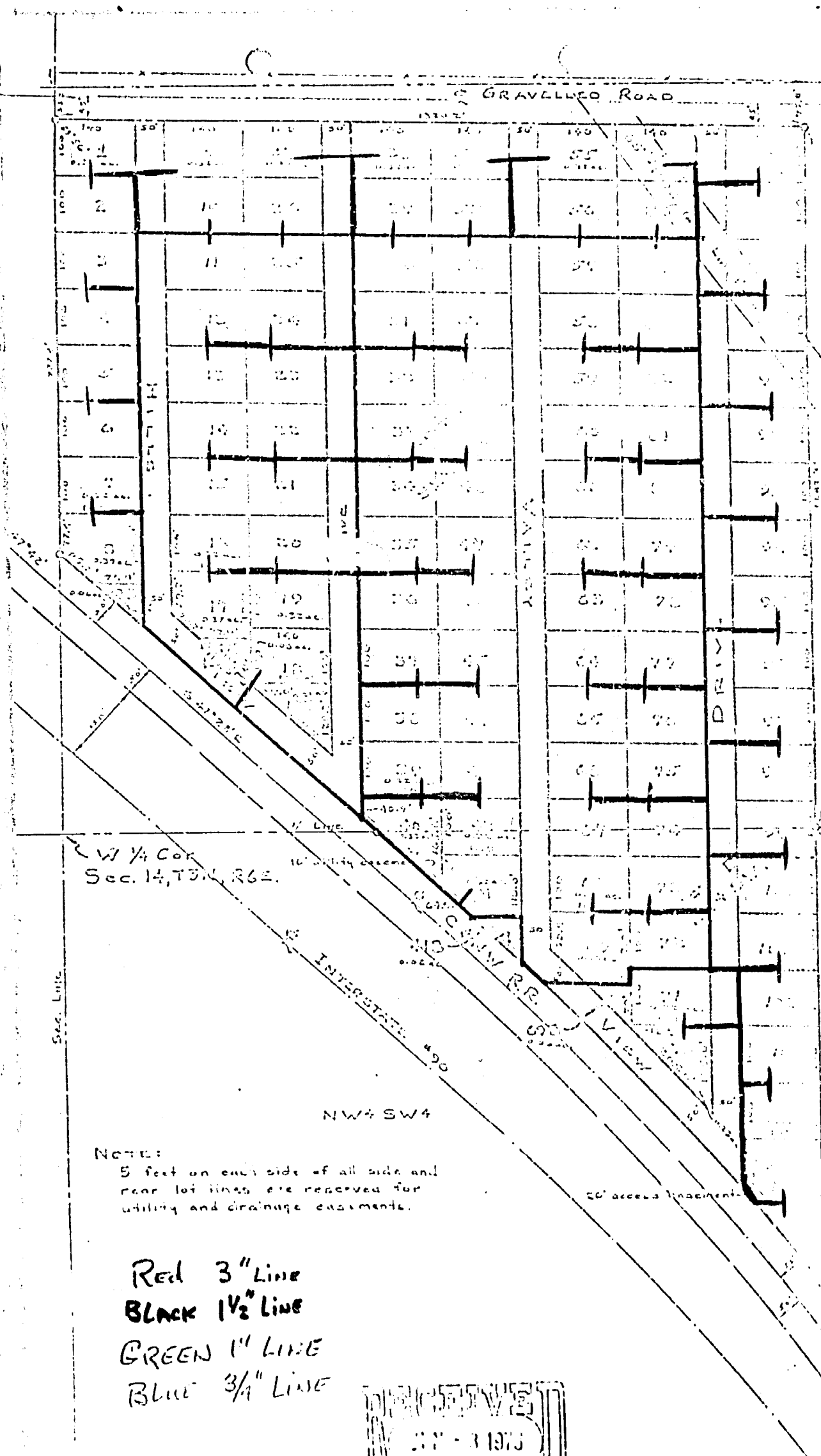
The point of diversion is located from West 1/4 Corner Sec. 14 T3N, R6E, B1M.
788.2 ft East and 162.8 ft South

The works are capable of diverting and conveying to the place of use 2.2cu. ft. per second of water which is to be used for Suburban Housing.

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

Date May 14, 1976



I, Ray Fra
 the request
 shown here
 the manner
 correct.
 WITNESS my

State of S
 County of
 On this
 personally
 who execut
 to me that
 IN WITNESS

We, Larry
 are the
 that we di
 that, and
 shown here
 dedication
 IN WITNESS
 day of

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
 State Office Building No. 2
 Pierre, South Dakota 57501

Date 24 May 76

This is to notify you that title to the lands described as follows:

Lot 412 Trail West Subdivision lying the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the
NE NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of SECTION 14, Township 3N, R6E of BHM

formerly owned by Larry P. Branch, Box 70, Black Hawk, SD 57718

has been transferred to Edwin E. Smith, Star Rt A Trail West #3, Piedmont, SD
57769

with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No.
 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

herefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at
 the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960
 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
 County of Meade) ss.

I, Edwin E. Smith being first duly sworn on my oath depose and
 say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing
 statement, and I know of my own personal knowledge that the information herein stated is true.

Edwin E. Smith
 (Signed)

Suscribed and sworn to before me this 24 day of May, 19 76

M M Jackson
 (Notary Public)

M. M. JACSON, NOTARY PUBLIC
 My Commission Expires June 24, 1977
 Registered in _____ County



Form 20.

No. _____

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, South Dakota 57501

Date: July 8, 1977



This is to notify you that title to the lands described as follows:
Lot 41B, Trail West Subdivision, of Tracts A and B, lying in the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section Fourteen, Township Three North, Range Six, East of the Black Hills Meridian, Meade County, South Dakota.

formerly owned by Edwin E. Smith

has been transferred to Trail West Development, Inc.

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 989-1 as provided for in Section 61.0127 of the 1960
Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights Commission as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939..

STATE OF SOUTH DAKOTA)
) SS.
County of Pennington)

I, Edwin E. Smith being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Edwin E. Smith
(Signed)

Subscribed and sworn to before me this 8th day of July

1977.

Melvin D. Wedmore
(Notary Public)

My Commission Expires:
12-16-84



July 1, 1999

989-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

989-1

Gayle Jorgenson
10050 W Hwy 44
Rapid City, SD 57702

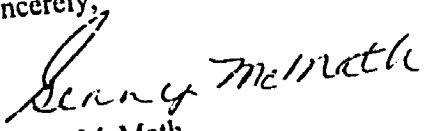
Dear Mr. Jorgenson:

Thank you for calling about the pending sale and the change of ownership needed for Water Right No. 989-1.

I am enclosing a partially completed "Notice of Transfer of Ownership" form for use in filing the ownership change. Please review the form and complete as needed. You will need to sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50. You may make the check or money order payable to the Water Rights Program.

I am also enclosing a copy of Water Right No. 989-1. You may keep this for your records. If I can answer any questions for you concerning the water right or completion of the transfer, please get in touch with me.

Sincerely,


Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 989-1

Date: 9-8-99

I We request that Water Right No. 989-1

formerly owned by: Trail West Development

be transferred to: (name & address) ELK CREEK WATER CO., INC.

10050 W. HWY. 44 RAPID CITY, SD 57702 Telephone No. 605-342-1148

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

well location: NW 1/4 SW 1/4 Section 14, T3N, R6E

I We understand that the validity of Water Right No. 989-1 has not been determined by this transfer action. If I We have any questions on validity, I We understand that only the Water Management Board has the authority to determine if a water permit right is valid (see note.)

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

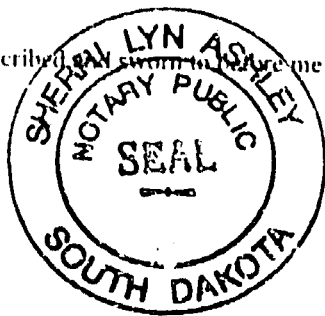
STATE OF SOUTH DAKOTA)

County of Pennington)

I We Beverly A. Jorgensen being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Beverly A. Jorgensen
(Signed)

Subscribed and sworn to before me this 9th day of September, 1999.



Sherrilyn Ashley
(Notary Public)

SHERRILYN ASHLEY, Notary Public
Pennington County, South Dakota
My Commission Expires January 31, 2004

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416189

Pierre, September 10, 19 99

RECEIVED OF Elk Creek Water Co., Inc., 10050 W. Hwy. 44, Rapid City, SD 57702-4742
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form _____ Water Right No. 989-1

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Chief Engineer

John H. Hatcher, Jr.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

September 13, 1999

989-1

Gayle & Beverly Jorgenson
10050 W Hwy 44
Rapid City, SD 57702

Dear Mr. & Mrs. Jorgenson:

Thank you sending in the "Notice of Transfer of Ownership" form and the filing fee for changing ownership of Water Right No. 989-1. The transfer has been completed and the water right is now listed in the name of Elk Creek Water Company, Inc.

Enclosed is your Receipt No. 416189 in the amount of \$2.50. You may keep this for your records. If I can answer any questions for you, please get in touch with me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosure

989-1

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well _____ 1/4 _____ 1/4 _____ Section _____ Township _____ Range _____

Well owner Larry Branch
(Name) (Address)Date well drilling completed 6-2-77 Purpose of well Commercial
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	
0-20	gravel	635	ft.
20-480	red shale	0	ft.
480-560	limestone	Name of producing aquifer (if known)	<u>Minnelusa</u>
560-635	red shale	Total depth of drill hole	<u>980</u> ft.
635-730	hard limestone	Depth to bottom of casing	<u>724</u> ft.
730-755	hard red ss	Casing Information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.	
755-770	yellow broken ss	<u>7 7/8" O.D., steel, 15 lbs./ft.</u>	
770-778	red ss	Length - <u>Schedule 1</u>	
778-780	yellow ss	Screen Information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.	
780-792	red limestone	If a flowing well, flow of completed well _____ G.P.M.	
792-830	yellow broken ss	<u>Bice & Taylor Drilling</u>	
830-865	red ss & limestone	Name of Drilling Contractor	
865-870	white ss		
870-880	red ss & limestone		

Attach sheet if more space is needed

(2) PUMP INSTALLATION

Company name and size of pump _____ HP.

Type of pump _____ Capacity of installed pump _____ G.P.M.

Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Name of Pump Installation Contractor _____



989-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 22, 2004

Michael Deutsch
Cimarron Drilling
9017 S. Ridge Trail
Sturgis, SD 57785

Dear Mr. Deutsch:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, Cimarron Drilling is authorized to construct a test well for Elk Creek Water Company (Gale Jorgenson), 10050 W. Hwy 44, Rapid City, SD, 57702 prior to approval of a water permit. The test well is to be completed into the Madison aquifer in the Section 14, T3N-R6E. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

A SD Water Permit must be obtained before water from this well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Enclosed please find a copy of the "Notice of Well Completion" for the Larry Branch Well.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for GARLAND ERBELE, Chief Engineer
Water Rights Program
(605) 773-3352

cc/enc: Gale Jorgenson, Elk Creek Water Co., Inc. 10050 W. Hwy 44, Rapid City, SD 57702

FORM 2: Application for uses other than irrigation
(type or print)

Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

No. 989-1 (office use only)
Hydrologic Unit
Basin
Newspaper

RECEIVED
APR 29 2004
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

Type of Application: ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No.
☒ Amendment/Correction to Permit No. 989-1

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

ADD DIVERSION POINT. NO NEW APPROPRIATION OF WATER.

1. Name of Applicant ELK CREEK WATER CO. INC Phone 605-342-1148
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 10050 W HWY 44 RAPID CITY State SD 57702
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed *CFS or 100 **GPM ***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 WELL - MINNELUSA

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) NW 4 SW 4 TRACT-B
SEC 14, T3N, R6E
County MEADE

5. County or counties where water will be used MEADE

6. Annual period during which water is to be used ALL YEAR

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)

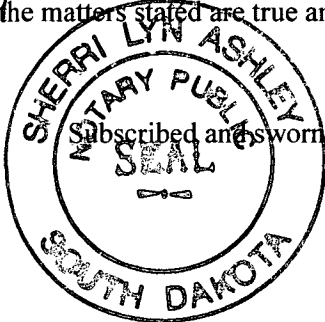
NEW WELL 233 FT FROM OLD WELL. OLD WELL TO BE KEPT
ONLY AS A EMERGENCY BACKUP WHEN NEW WELL IS DOWN FOR
REPAIR. BOTH WILL NOT BE USED AT THE SAME TIME.

STATE OF SOUTH DAKOTA)

County of Pennington 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, Beverly A. Jorgenson, 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 Beverly A. Jorgenson - President
Subscribed and sworn to before me this 27th day of April 20 04

Sherri Lynn Ashley
Notary Public signature
My Commission Expires
January 31, 2010

Supplemental Information

(type or print in ink)

6 1/4" TO 860'

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 3/4" Depth 725'
- b) Casing Type 7" steel Diameter 7" Thickness .250
- c) Screen Type N/A Diameter — Thickness —
- d) Gravel Pack NA Length of Gravel Pack —
- e) Depth to Top of Water Bearing Material 730' Top of Minnehaha
- f) Depth to Water (ground surface to water level) 3' Below ground level
- g) Distance to nearest existing domestic well:

On applicants property 233 FTOn property owned by others —

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) 112 FT FROM NEAREST DRAIN FIELD,
FAR MORE FROM NEAREST SEPTIC TANK
- b) System Capacity (gallons) 4 Year Constructed —
- c) Connected to the City of — Sanitary System —

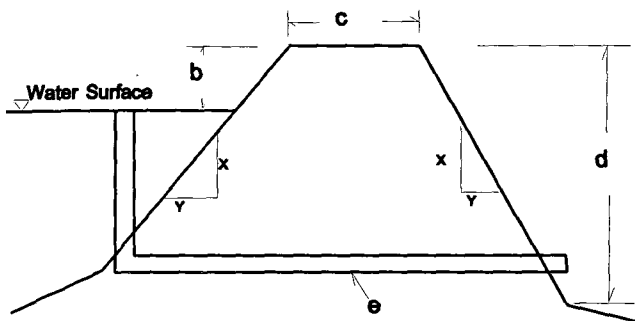
3. Dugout Information

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

4. Water Storage Dams

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

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard —
- c) Crest Width —
Crest Length —
- d) Height —
- e) Primary Outlet Capacity —
If pipe, diameter —
- f) Secondary Spillway Capacity —
Spillway Width —
- g) X & Y Slope —
Upstream —
Downstream —
- h) Surface Area of Impoundment —
- i) Storage — Acre Feet
- j) Drainage Area Above Dam — Acres

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

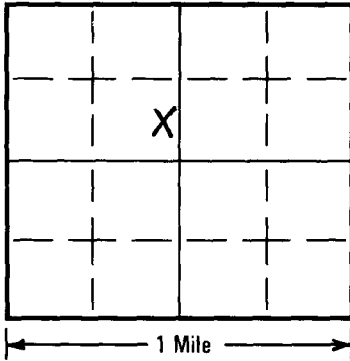
Location SW 1/4 NW 1/4 Sec 14 Twp 3-N Rg 6-E
 County Meade North

Please mark well location with an "X"

W

E

Well Completion Date

4-10-04

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 112 ft. from Septic + Field (Identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary Air-WaterCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>20.5</u> LB/FT	<u>7</u> IN	<u>0</u> FT	<u>720</u> FT	<u>8 3/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Portland No. of Sacks 100 Grout Weight 94 1/2 lb./gal From 0 ft. To 720 ft.
type III lb./gal _____ ft. _____ ft.

Describe grouting procedure Pressure Grout TBM Charge
displace with water to surface by mud pump

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN 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

Laboratory sent to for water quality analysis

☐ NO, Why Not? PelletsMid Continent Test.

Well Owner: Gayle Torgenson
 Business Name: Elk Creek Water Co
 Address: 10050 W Highway 44
Rapid City SD 57702

WELL LOG:

DEPTH

FORMATION	FROM	TO
<u>Gravel</u>	<u>0'</u>	<u>70'</u>
<u>(Speckfish) Red shale</u>	<u>70'</u>	<u>480'</u>
<u>(Minnetonka) Limestone</u>	<u>480'</u>	<u>560'</u>
<u>(Opelika) Red shale</u>	<u>560'</u>	<u>635'</u>
<u>Hard Limestone</u>	<u>635'</u>	<u>730'</u>
<u>Red + Yellow S. Stone</u>	<u>730'</u>	<u>780'</u>
<u>Multicolored S. Stone</u>	<u>780'</u>	<u>880'</u>
<u>w layers of h. Stone</u>		
<u>(Minnetonka)</u>		

STATIC WATER LEVEL

3 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ PumpedDescribe: Air Developed☐ Bailed☒ Other _____

Pumping Level Below Land Surface

500 ft. After 2 Hrs. Blew 40 GPM720 ft. After 2 Hrs. Blew 100+ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well into
Minnetonka Aquifer

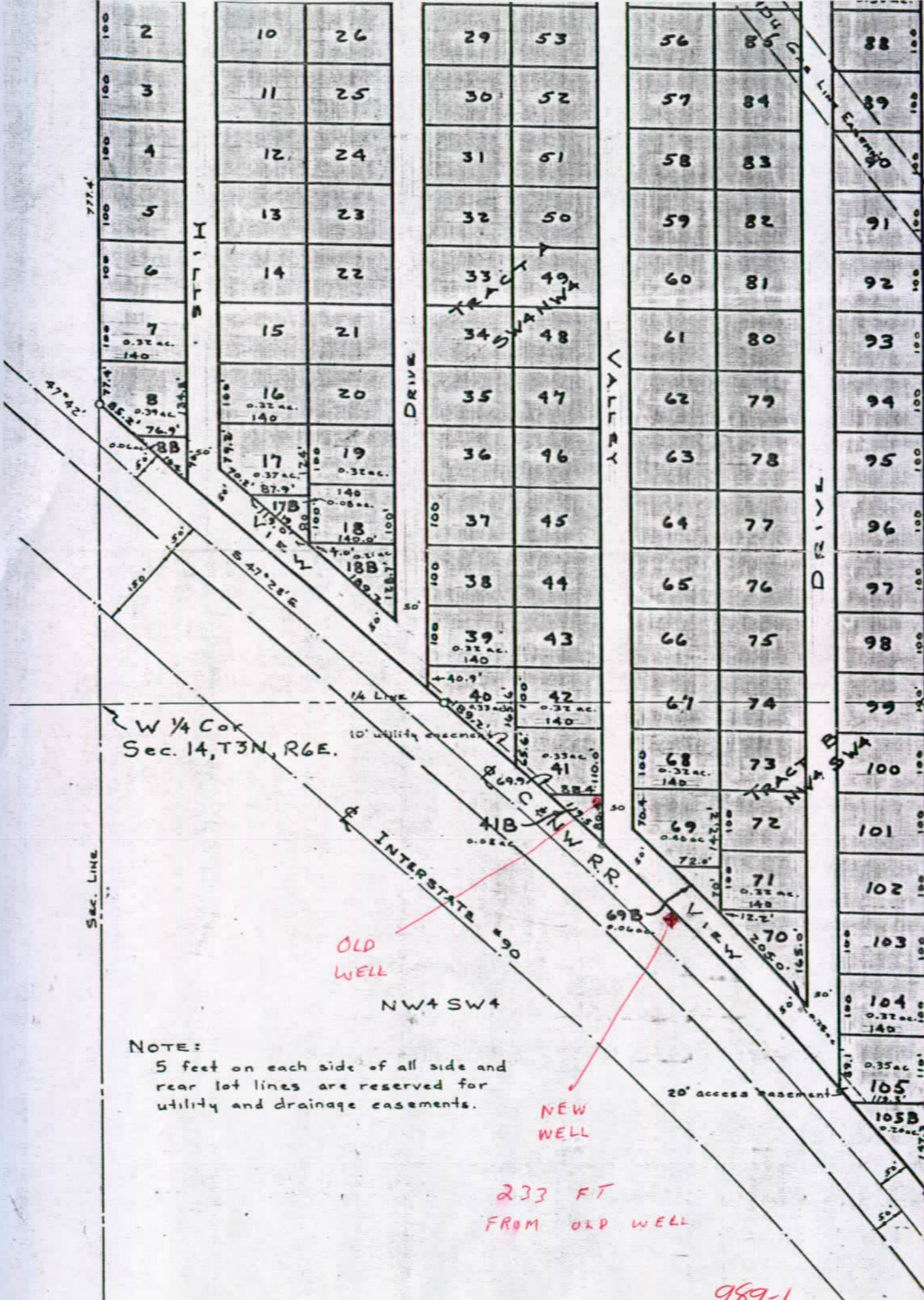
This well was drilled under license # 568

And this report is true and accurate

Drilling firm CIMARRON Drilling IncSignature of License Representative: Michael J. Deutch

Signature of Well Owner or Equitable Property Holder:

Gayle Torgenson for Elk Creek Water CoDate: 4-23-04



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Elk Creek Water Company
c/o Gayle Jorgenson

Located by: 4/27/04

Darrell Via, District Coordinator
NRCS Sturgis, SD

21.8

③ N

T 345

T 344

Well

center of
Section 14-
T3N-R6E

POD - 2360' North
and 880' East of
SW Corner of
Section
14-T3-R6

SW Corner of
Section 14-T3N-
R6E

989-1

Approval of Additional Diversion Point

NAME: Elk Creek Water Company, Inc**ADDRESS:** 10050 W Highway 44, Rapid City SD 57702**DATE:** May 26, 2004**COUNTY:** Meade**CONTACT:** Beverly Jorgenson – 342-1148

Elk Creek Water Company has made a request to construct an additional well to the existing well authorized by Water Right No. 989-1.

Water Right No. 989-1 appropriates 0.22 cfs (100 gpm) from a Minnelusa Formation well located in the NW ¼ SW ¼ of Section 14 T3N, R6E. Water is used for a suburban housing development.

The request states the old well is to be kept only as an emergency backup water supply when the new well is down for repair. Both wells will not be used at the same time. The request to authorize an additional diversion point is for no increase in the 0.22 cfs appropriation set forth in Water Right No. 989-1

The new well is already constructed and is located approximately 233 feet away from the old well according to request.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The water source remains the Minnelusa Formation. Ken Buhler reviewed the well completion report and determined that the new well is completed into the Minnelusa Formation. No additional water is to be appropriated by this request.

- **If irrigation, no new land is irrigated**

Not applicable – the water use is suburban housing development.

- **Review of Existing Diversions**

This area is developed and there are a number of domestic wells and existing water rights in the proximity of the Elk Creek Water Company's wells.

A review of water rights which appropriate water from the Minnelusa Formation in the sections surrounding Section 14 (Sections 10, 11, 12, 13, 14, 15, 22, 23, 24) was conducted. There are 17 existing water rights/permits appropriating a total of 3.1 cubic feet of water per second. The majority of these water rights are small diversion for commercial uses and suburban housing developments. A review of the well log database was also conducted in neighboring sections. There are numerous wells found in the area.

Authorizing this additional diversion point will not adversely affect area wells. This request will not increase the authorized diversion rate. This request is strictly for a replacement well and the old well will be maintained for use as an emergency backup when the new is down for repair and/or maintenance.

continued

RECOMMENDED ACTION

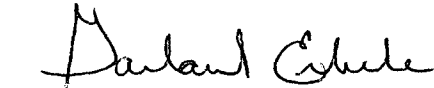
It is recommended that the additional diversion point be authorized pursuant to SDCL 46-5-13.1.



Eric Gronlund, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This additional diversion points does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program



989-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 4, 2004

Elk Creek Water Company
c/o Beverly Jorgenson, President
10050 W Highway 44, Rapid City SD 57702

Dear Ms. Jorgenson:

I am writing in regard to the request to authorize an additional well to the existing Minnelusa Formation well currently authorized by Water Right No. 989-1 for Elk Creek Water Company.

Water Right No. 989-1 appropriates 0.22 cfs (100 gpm) from a Minnelusa Formation well located in the NW ¼ SW ¼ of Section 14 T3N, R6E. Water is used for a suburban housing development.

You are requesting authorization for an additional well to replace the older well. The old well will be maintained for use as an emergency backup when the new well is down for repair or maintenance. The new well will also be located in the NW ¼ SW ¼ of Section 14 T3N, R6E and is constructed into the Minnelusa Formation. No additional water will be appropriated.

Upon review of the request and pursuant to SDCL 46-5-13.1, the additional well is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. A new water permit is necessary if the diversion rate from the well(s) exceeds the 100 gpm authorized by Water Right No. 989-1.

The application filing fee of \$50 submitted with your application will be refunded to Elk Creek Water Company.

If you have any questions, please contact Eric Gronlund at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Fee Refunded

Date April 30, 20 04

RECEIVED OF Elk Creek Water Co Inc., 10050 W Hwy 44, Rapid City SD 57702-4742

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

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

No.

001305

By

David E. Chubb

Chief Engineer

gm

PAYMENT REQUEST FORM

PAYEE: Elk Creek Water Co Inc
10050 W Hwy 44
Rapid City SD 57702-4742

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Refund for application fee

AMOUNT: \$50.00

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Barland Eshel 6/4/04

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 30, 2008

989-1

Gayle Jorgenson
Elk Creek Water Co Inc
10050 W Hwy 44
Rapid City SD 57702

Dear Mr. Jorgenson:

Enclosed as we discussed is a copy of Water Right No. 989-1, listed in the name of Elk Creek Water Company.

Also enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. The form will need to be completed and signed by the new owner(s). A filing fee of \$2.50 is required for filing the ownership change and should be sent in with the completed transfer form. The check or money order for the fee can be made payable to the Water Rights Program.

I spoke with Mark Mayer with the Office of Drinking Water concerning the schedule of classes for Operator Certification. He indicated he would be getting in touch with you regarding the dates and places of the training sessions.

If I can answer any questions for you, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures

RECEIVED

JUL 21 2008

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 989-1
Date: 7-3-08

I/We request that Water Right No. 989-1

formerly owned by: Elk Creek Water Co Inc

be transferred to: (name & address) Ellis Properties, LLC
707 Auburn Dr, Rapid City, SD 57701

DBA: Trail West Water Company Telephone No. 605-580-1214

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

two wells located in the NW ¼ SW1/4 Section 14, T3N, R6E

I/We understand that the validity of Water Right No. 989-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

Ellis Properties LLC

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

Katie Lushbough
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/21, 20 08

RECEIVED OF Ellis Properties LLC 7545 Crossbill Circle Rapid City sd SD 57702

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>989-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

03659

By

[Signature]
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 21, 2008

989-1

Katie Lushbough
Ellis Properties LLC
707 Auburn Dr
Rapid City SD 57701

Dear Ms. Lushbough:

I am writing to acknowledge receipt of the ownership change you filed with Water Right No. 989-1. The transfer has been completed. The water right, formerly held by Elk Creek Water Company Inc is now listed in the name of Ellis Properties LLC.

Enclosed is your Receipt No. 03699 in the amount of \$2.50 which was paid for filing the ownership change. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

DEC 20 2011

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 989-1Date: x 12 / 1 / 11

I/We request that Water Right/Permit No. 989-1 formerly owned by:
Ellis Properties, LLC be transferred to:

New Owner Name: Trail West Sanitary DistrictAddress: P.O. Box 522City, State, Zip Piedmont SD 57769 Telephone No. x 605 787 9019

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

x

**Two (2) wells located in the NW¼SW¼, Section 14, Township 3 North,
Range 6 East of the Black Hills Meridian, Meade County, South Dakota.**

☒ I understand that the validity of Water Right/Permit No. 989-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Trail West Sanitary District, the new owner, certify that the above information is true and correct.

TRAIL WEST SANITARY DISTRICT

BY: George Miller, President
(signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/20, 20 11

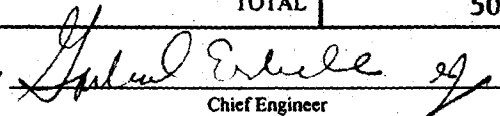
RECEIVED OF Trail West Sanitary District PO Box 522 Piedmont SD 57769

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50 00	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ <u>989-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05149**

By


Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 21, 2011

989-1

George Miller
Trail West Sanitary District
PO Box 522
Piedmont SD 57759 0522

Dear Mr. Miller:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for filing an ownership change with Water Right No. 989-1.

The ownership change has been completed. The water right formerly held by Ellis Properties LLC is now listed in the name of Trail West Sanitary District.

Enclosed for your records is Receipt No. 05149 in the amount of \$50.00. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure

McMath, Genny

From: Lande, Elayne
Sent: Thursday, February 20, 2014 9:27 AM
To: ALL STAFF-DENR/DENR PIERRE
Subject: Trail West Sanitary District

New contact information for Trail West Sanitary District:

President Curtis Johnson
14850 West Hills View Drive
Piedmont, SD 57769

Thank you.

Elayne Lande
Grant and Loan Specialist I
DENR Water and Waste Funding Program
Desk: (605) 773-4907
Fax: (605) 773-4068
Elayne.Lande@state.sd.us

Friends are the Bacon Bits in the Salad Bowl of Life!