

NEXT

DOCUMENT (S)

BEST IMAGE

POSSIBLE

1. Considered: _____, 19____ Water Right No. 1686-2A

2. Name of Applicant Raymond Shields

3. Post Office Address Star Route #3, Pierre, S.D. 57501

4. Amount of water claimed No Add'l (0.15) maximum acre feet _____

5. Source of Water Supply 2120' deep well (Injan Kana)

6. Water to be used for GEO & SHD acres to be irrigated _____

7. County Stanley about 2 1/2 4 miles West of Ed. P. 12112

8. CROWN OF PUBLICATION: Received 1st-6-23-82 Not Received _____

APPLICATION: Approved 7-20-83 subject to antennae & Well T.B. from

Not Approved _____ Action Deferred _____

100% DATED RECEIVED 4/6/83 Application complete-yes x no _____ FEE 50.00

Remarks _____

Contracted Application received _____ Period of Annual Use 1/1 to 12/31

100% RECEIVED yes _____ no _____ APPROVED/CONDITIONAL (Circle one)

Well Description same as application-yes _____ no _____ Remarks _____

Disapproved _____ Returned _____

				x	
					22

Diversion Point _____

NW 1/4 NW 1/4 Section 22-T5N-R30E

Land to be irrigated _____

100% DRILLER Huron Drilling Co Licensed - yes xx no _____

Depth 2120' deep Antennae to 2120' SUNDANCE

Remarks _____

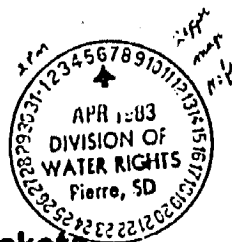
Map No. 1446-2 Map located in Water Right xx Map title _____
 Type of Map Aerial & Drawn Prepared by Co Agent

RECEIVED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:
April 12, 1983

Betty Westlund & Kevin Larson
 (Signed)

RECEIVED Letters/Petitions in file - yes _____ no _____ Remarks _____

RECEIVED Date _____
 F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 F. & C. Date _____
 RECEPTION Final Decision mailed to parties and/or parties notified that Final Decision was adopted _____
 Remarks _____

No. 1686-2AMap No. 1446-2 Water Division No. 2 Bad River District
Above for Office Use 10140102

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐Change in Diversion ☒ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☐1. Name of Applicant Raymond Shields Phone No. 224-5664; 224-5807Post Office Address Star Route #3, Pierre, South Dakota 57501
(Street, RR, or Box) (Town) (State) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) employment of others3. Name of diversion work West River Estates4. Amount of water claimed (cubic feet per second) .155. Source of water supply One well6. Location of point of diversion 832'S & 1683'W of the NW Corner Section 22, T5N, R30E, N 1/4, 1/4County Stanley7. Annual period or periods during which water is to be used continuously8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Livestock & SHD9. For irrigation use, Total number of acres to be irrigated Geothermal Heating

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 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water James, Pierre
Stanley Co. Publication

12. Principal Features of the Proposed Water Supply System.

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

Artesian well (flowing) 2120' (depth)

B. Works proposed to transport water to place of use.

Pipeline

C. Works proposed to apply water to beneficial use.

Pipelines to housing in development area, plus Geothermal heating, excess water to livestock watering

Estimated Total Cost \$ 40,000.00Attachments: 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 Hughes) ss.I, Raymond Shields 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.Signed Raymond ShieldsSubscribed and sworn to before me this 12th day of April, 1983.Gerty Wardland W.R. Specialist
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1686-2A
Raymond Shields (Applicant) Star RT. 3 Pierre (Post Office Address)
South Dakota (State) With the following qualifications

The well approved under this Permit shall be valved and the flow reduced to a minimum when not being used. The well shall be equipped with a pressure gauge and records kept of any pressure fluctuations. Such records shall be available to the Board, upon request. If this well is abandoned or the Permit cancelled the well must be plugged in accordance with specifications of the Water Management Board.

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit, shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

Date of first receipt of application April 6, 1983
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____
 Approved July 20, 1983, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1686-2A

The Water Management Board hereby grants and issues this Water Right Permit No. 1686-2A authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is April 6, 1983
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before January 20, 1986
3. The whole of said work is to be completed on or before July 20, 1988
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is July 20, 1992
5. The water appropriated shall be used for the purpose of Geothermal & Suburban Housing water supply
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 No add'l 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 beneficial uses served, and ~~if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (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~~

^{BW} GEOTHERMAL HEATING & SHED USE
 for irrigation on or before July 20, 1992; said water to be used during the following described annual period: January 1 thru December 31

Witness my hand this 2nd day of August, 1983

THE WATER MANAGEMENT BOARD

By: John Hatch
 Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

D Well Information

(1) Drill Hole, Diameter 5", Depth 2120'
200' Steel, grouted in place Steel-5" Steel -.322'
 (2) Casing, Type 2120' Copper, Diameter Copper-2", Thickness Copper-type K
 (wood, concrete, steel, etc.)
 (3) Screen, Type perf. copper, Diameter 2", Length 200'
 (4) Gravel Pack, Thickness None, Length of gravel pack None

E Dugout Information or Estimates

(1) Surface dimensions, _____, Depth _____

F Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 1920'

Depth to bottom of water bearing material 2120'

Depth to water (ground surface to water level) flowing

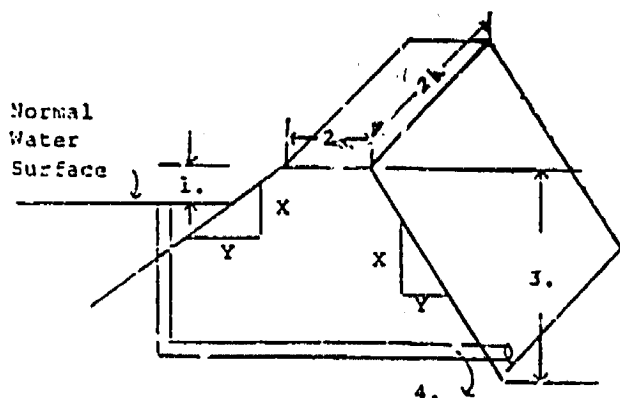
(2) Distance to nearest existing household or livestock watering well.

On same owner's property _____ rds.

On property owned by others 326 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
 2a Crest width _____, length _____
 3. Height of Dam _____
 4. Outlet dimensions:
 Pipe diameter _____
 Spillway width _____
 X & Y slope:
 Upstream _____
 Downstream _____
 Surface area of impoundment _____
 Drainage area above dam _____

Raymond Shields
 Signature of Applicant

Report Section

Mr. J. P. Stralton Sr.

10-18-81

10-18-81

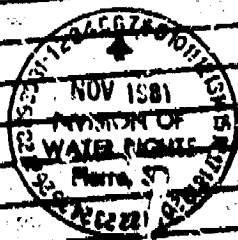
10-18-81

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connected in 200 ft. 5" pipe
October 19th

October 20th

Leak at 770 ft.



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351	800	12:45	
352	800	12:50	
353	800	12:55	
354	800	1:00	
355	800	1:05	
356	800	1:10	
357	800	1:15	
358	800	1:20	
359	800	1:25	
360	800	1:30	
361	800	1:35	
362	800	1:40	
363	800	1:45	
364	800	1:50	
365	800	1:55	
366	800	2:00	
367	800	2:05	
368	800	2:10	
369	800	2:15	
370	800	2:20	
371	800	2:25	
372	800	2:30	
373	800	2:35	
374	800	2:40	
375	800	2:45	
376	800	2:50	
377	800	2:55	
378	800	3:00	
379	800	3:05	
380	800	3:10	
381	800	3:15	
382	800	3:20	
383	800	3:25	
384	800	3:30	
385	800	3:35	
386	800	3:40	
387	800	3:45	
388	800	3:50	
389	800	3:55	
390	800	4:00	
391	800	4:05	
392	800	4:10	
393	800	4:15	
394	800	4:20	
395	800	4:25	
396	800	4:30	
397	800	4:35	
398	800	4:40	
399	800	4:45	
400	800	4:50	
401	800	4:55	
402	800	5:00	
403	800	5:05	
404			

nd bnfida

22-7-30-Hamley Co.

10-15-81

24

Bayer

JOB NAME

LOCATION

DATE

JOB NO.

WELL NO.

TIME

REMARKS

3:05

1600-163 good sand

3:30

1630-1660 good sand

3:55

4:15

5:05

9:10

Burrison @ 1720 ft.

10:10

10:40

11:20

12:30

Put on Gear Bit # 1800 ft. 4-1/2" @ 2:10

3:05

4:05

5:00

6:00

9:30

10:40

12:10

Put on Gear Bit # 4 @ 1940-4-1/2"

2:50

4:45

1960-1980 hard sand streaks

10:50

1:15

Put on Gear Bit # 5 @ 200 ft. 4-1/2" @ 12:30

2:00

3:05

10:42

Put on Gear Bit # 6 @ 2060 ft. 4-1/2"

11:50

T.D.

October 31

2009-2020 good sand

2020-2040 good sand

2040-2055 good sand

2055-2080 hard

2080-2095 good sand

2095-2100 good sand

5599

Raymond Shields
OWNER

Pierre, SD
WELL REPORT
Stanley County
22-5-30

MURPHY
DRILLING CO
Ward 1 D

October 30, 1981
DATE

DESCRIPTION

CASING LOG

Depth	2120	ft.				
Flow	100+	gpm	200	ft. 5" Standard Steel	pipe to	700 ft.
Pump		gpm	1920	ft. 2" K Copper	pipe to	1920 ft.
Head		ft.	200	ft. 2" K Copper	pipe to	2120 ft.
200 ft. Perf. @ Bottom				Perf.		
No direction				ft.	pipe to	ft.

Pressure
12 Days
Drilling Time

Rig No. 24

Roger Wallman
Foreman

1920-2120 REMARKS
200 ft. 5" blk. cemented in place.
25 bags cement
2-Drag Bits, 6-Gear bits

REPRODUCTIONS. REDUCTION 25%

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9232

PIERRE, April 11, 1983

RECEIVED OF Raymond Shields, 825 E Sioux, Pierre, SD 57501

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

Fee for Application for Permit to Appropriate Water No. 1686-2A (examination, processing, recording and filing) Change of Diversion	50	00
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By

John H. Hest

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

August 3, 1983

Raymond Shields
Star Route #3
Pierre, South Dakota 57501

Dear Mr. Shields:

Enclosed herewith is your Water Permit No. 1686-2A as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 1686-2A.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83

No. 1686-217

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hughes ss.

I, Brendah Jones hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Tenue

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

County of Hughes and
that the said notice was published in said new
two dates:

6-9-83

6-16-83

Brendah Jones
(Signature)

Bookkeeper
(Title)

6/15/83
(Date Signed)



Cost of Printing: 8 p x 11

116

3666

10

...before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with the Chief Engineer and the Applicant by July 8, 1983. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by July 8, 1983.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. There and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWR, Joe Foss Bldg., Pierre, SD, (605) 775-3002; by telephone prior to the hearing date.

NOTICE OF HEARING

on Application No. 1686-2A
to Appropriate Water to Amend
Water Permit 1686-2A

Notice is hereby given that Raymond Shields whose mailing address is St. Rt. 3, Pierre, South Dakota, has made an application pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-14, Section 11 of HB 1001 enacted by 1983 Legislature; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, Section 32 of HB 1001; 46-5-1 thru 46-5-8, 46-5-10, thru 46-5-16, 46-5-24, 46-5-25, 46-5-31, Sections 38, 47, 59 & 67 of HB 1001, Sections 1, 4, 5, 6, 11, 12, 13, 16, 18, 19 & 21 of HB 1002; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (several of the preceding SDCL Sections are amended by HB 1001 & 1002 of 1983 Legislature) for a permit to amend Permit No. 1686-2A to appropriate no additional water (0.16 cfs) from (one Sundance Formation well about 2120 feet deep, Application No. 1686-2 was for one Madison Formation well). The new point of diversion to be located in the NW 1/4 NW 1/4 of Section 22, T5N, R30E. Said water to be used for the purpose of providing water supplies for geothermal heating and a suburban housing development.

Pursuant to Section 4 of HB 1002 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1686-2A because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Community Room, Basement, Day Co. Courthouse, 710 W. 1. Webster, SD upon the 19 day of July, 1983, at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision may file a petition for review with the

Instructions to Newspaper - Publish first publication of following Notice on or before
June 8, 1983 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE of HEARING on Application No. 1686-2A to Appropriate Water
~~and/or~~ to Amend Water Permit ~~or Water Right No.~~ 1686-2A

Notice is hereby given that Raymond Shields whose mailing address is St Rt 3

Pierre, South Dakota has made an application pursuant to the provisions of
 SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-14, Section 13 of HB 1001 enacted by 1983 Legis-
 lature; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, Section 32 of HB 1001; 46-5-1 thru 46-5-8, 46-5-10,
 thru 46-5-16, 46-5-24, 46-5-25, 46-5-31, Sections 38, 47, 59 & 67 of HB 1001, Sections 1, 4,
 5, 6, 11, 12, 13, 16, 18, 19 & 21 of HB 1002; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10,
 46-6-13, 46-6-14; (future use) ~~46-5-30 thru 46-5-40, Section 71 of HB 1001, (transfer lands)~~
~~46-5-33 thru 46-5-35, (10,000 AFA) 46-5-20.1, 46-5-8.1, and Board Rules ARSD 74:02:01:01~~
~~thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:26, (10,000 AFA) 74:02:01:15:02~~
~~thru 74:02:01:15:05;~~ (several of the preceding SDCL Sections are amended by HB 1001 & 1002
 of 1983 Legislature) for a permit to amend Permit No. 1686-2A to appropriate no additional
 water (0.15 cfs) from (one Sundance Formation well about 2120 feet deep, Application
 No. 1686-2 was for one Madison Formation well). The new point of diversion to be located
 in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T5N, R30E. Said water to be used for the purpose of
 providing water supplies for geothermal heating and a suburban housing development.

Pursuant to Section 4 of HB 1002 the Chief Engineer of the Water Rights Division recommends
Approval of Application No. 1686-2A because 1) unappropriated water is available,
 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and
 4) is in the public interest.

This application will be considered by the Water Management Board at Community Room, Basement
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The recommendation of the Chief Engineer is not final or binding upon the Board and the
 Board is authorized to make a determination on this application after it reaches a con-
 clusion based upon facts presented at the public hearing. Any interested person who may
 be affected by a Board decision and who intends to participate in the hearing before the
 Board and present evidence or cross-examine witnesses according to SDCL 11-26, must file a
 written petition with the Chief Engineer and the Applicant by July 8, 1983.
 The petition may be informal, but it must include a statement describing the petitioner's
 interest in the application, the reason for the petitioner's opposition to or support of
 the application, and the signature and mailing address of the petitioner or his legal counsel
 if legal counsel is obtained. The applicant need not file a petition. The time of the
 hearing will be automatically extended for at least twenty days upon written request of the
 applicant or any person who has filed a petition to oppose or support the application. The
 request for extension must be filed with the Chief Engineer by July 8, 1983.

This hearing is an adversary proceeding. The applicant or any person, after filing a
 petition, has the right to be present or to be represented by a lawyer. These and other
 process rights will be forfeited if they are not exercised. Decisions of the Board
 may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on
 the application or to assure access to the hearing by the handicapped can contact the
 Water Right Division, DWR, Joe Foss Bldg., Pierre SD (605 773-3352) for assistance
 prior to the hearing date.

REPORT ON WATER PERMIT APPLICATION NO. 1686-2A

RAYMOND SHIELDS

June 1, 1983

This permit application proposes to divert 0.15 cfs ground water from an existing 2120 feet deep well (100 psi at surface) for use in suburban housing and geothermal purposes.

Aquifer

"Inyan Kara" (known locally as Sundance)

Geology and Aquifer Characteristics

A discussion of the geology and aquifer characteristics is given in a report to the Water Management Board dated May 15, 1980 and entitled "Report on Deferred Application No. 1686-2" by J. Christensen. This application No. 1686-2A is being made because the driller did not complete the well into the Madison but stopped in the Inyan Kara. This application reflects the as constructed well.

The as built well is 2120 feet deep, is cased with 5" standard steel to 200' and cemented in, then cased to 2120' with 2" K Copper. The well developed a leak during the winter of 1982 but this was repaired. An engineer from Water Rights, Frank Smith, checked the site and at that time there were no apparent leaks. The well construction meets present state standards.

Review of Existing Water Rights

1720-2 Garland Webb Inyan Kara (2075') 0.09 cfs

There are no other water permits issued for the Inyan Kara in this area.

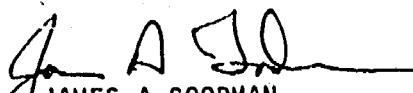
Conclusions

1. The well was not constructed as permitted under Application No. 1686-2. That Application can be cancelled, if this application is approved.

2. Permit No. 1686-2 was originally deferred because of objections that this well would interfere with a well owned by Garland Webb (1720-2). At the time Permit No. 1686-2 was considered Webb did not have a permit. Subsequently then, Webb obtained a permit and would have priority over this new application.

3. Water is available. Well apparently can flow 100 gpm and Permit No. 1686-2A asks for 0.15 cfs (67.5 gpm). There will be interference between these wells but South Dakota Statute does not protect artesian pressure. Although, there will be interference this should not adversely effect the Webb Water Permit No. 1720-2.

4. The artesian well qualification should be included on the new Permit No. 1686-2A.


JAMES A. GOODMAN
Hydrologist

Christensen, J., 1980, Report on Deferred Application No. 1686-2, Water Rights Files, Minutes to Water Management Board. July 1980.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT APPLICATION

NO. 1868-2A, Raymond Shields

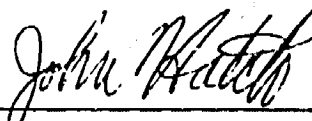
Pursuant to Section 4, House Bill 1002, 1983 Legislature, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1686-2A Raymond Shields, Star Route #3, Pierre SD.

The Chief Engineer is recommending APPROVAL of Application No. 1686-2A because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) that the proposed diversion can be developed without unlawful impairment of existing rights, 3) that the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

The well approved under this Permit shall be valved and the flow reduced to a minimum when not being used. The well shall be equipped with a pressure gauge and records kept of any pressure fluctuations. Such records shall be available to the Board, upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with specifications of the Water Management Board.

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit, shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

The attached report is a part of this recommendation.



JOHN HATCH, Chief Engineer
June 1, 1983

Water Rights Division - DWNR
Conversation or File Documentation

File No. 1720-2

(1686-2A)
1586-2

NAME OF PERSON OR FILE: G. WEBB

ADDRESS: _____ COUNTY STANLEY

DATE: 10 SEP 84 TELEPHONE 220-2201

RE: 2 QUESTIONS 1) HIS PERMIT 1720-2 2) SHIELDS WELL FLOWING ON HIS LAND - MAY WASH OUT PIPELINE -

COMMENTS:

WEBB WANTED TO KNOW IF THERE WERE ANY LEGAL PROBLEMS IF
HE PUT 2 VALVES ON HIS WELL (1720-2) ONE FOR HIM OTHER
TO BARRICK LAND. I TOLD HIM TO GO AHEAD - WELL MUST
BE CONTROLLED AND THAT'S BETWEEN HIM AND OTHER OWNER.

APPARENTLY, OTHER (BARRICK LAND) CHANGES OWNERSHIP FREQUENTLY.
NEW OWNERS MAY 1985 WILL BE STOEGER AND C. SONNENSHIEN.
THIS PAST YEAR PIPELINE WAS BROKEN ON BARRICK LAND AND ALLOWED TO FLOW.

WEBB ALSO WAS INTERESTED IN SHIELDS WELL (1686-2A). WEBB
REPORTED THE SHIELDS WELL IS FLOWING FULL THROUGH A
1 1/4" PIPELINE AND IS WASHING OUT A TRENCH WHICH IS
BEGINNING TO ENDANGER HIS PIPELINE. TOLD HIM, I WOULD
CHECK INTO THIS FOR HIM.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why, action or decision was made.

4/82

NAME: JIM GOODMAN

Jim A. Goodman

Water Rights Division - DWR
Conversation or File Documentation

File No. 1680-2A
1086-2
1720-P

NAME OF PERSON OR FILE: RAY SHIELDS

ADDRESS: _____ COUNTY HUGHES

DATE: 11 SEPTEMBER 1984 TELEPHONE 224-5668

RE: MR. SHIELDS CALLED ME BACK IN ANSWER TO MY CALL - WEBB COMPLAINT

COMMENTS:

I EXPLAINED THE NATURE OF THE WEBB COMPLAINT.

SHIELDS REPORTED - 1 1/4" LINE IS FLOWING ± 20 GPM INTO
STOCK DAM -

WELL IS EQUIPPED WITH 2 VALVES - ONE IS

A PRESSURE RELIEF - ALSO 2 HOUSES ARE

HOOKED ON THE WELL - ALSO THE 1 1/4" LINE

THAT THE ROAD CONSTRUCTION PEOPLE HAVE

HAULED WATER FROM THE DAM THIS SUMMER

AND THE DAM IS NEARLY DRY NOW -

THAT WEBB HASN'T TALKED TO SHIELDS

FOR OVER A YEAR ABOUT THIS MATTER -

THAT THE MAIN VALVE ON THE WELL

IS PADLOCKED TO PREVENT TAMPERING -

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

4/82

NAME: Jim Goodman

for A. Smith

Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

September 11, 1984

Ray Shields
Star Rt #3
Pierre SD 57501

Garland Webb
Ft. Pierre SD 57532

Gentlemen:

September 10, 1984, Garland Webb called the Division of Water Rights and requested information on his permit (No. 1720-2) and the Ray Shields permit (No. 1686-2A). One concern Mr. Webb had was that the Shields well was flowing full through a 12" line into a stockdam which in turn overflowed causing some undercutting of a creek bed below this area which was endangering a buried water line.

Mr. Shields reported that the line was flowing into the stockdam approximately 20 gpm now and that the road construction people had used water from the dam which is now nearly dry. Mr. Shields also reported that there are 2 houses obtaining water from the well which is equipped with a pressure relief valve, another valve and the excess water is allowed to overflow by way of the pipeline.

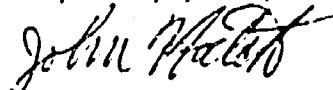
Review of Permits

No. 1686-2A 0.15 cfs (67 gpm) 2120' deep well (Shields)
No. 1720-2 0.09 cfs (40 gpm) 2075' deep well (Webb)

Neither of these permits have been licensed. However, the Shields well was inspected by Frank Smith April 5, 1983 and at that time no water was being allowed to flow to waste.

Water Rights Division interest in this matter is one, that neither well is allowed to flow to waste and is controlled to the amount of water needed and two, that the water permit qualifications and specifications are followed. Both individuals involved have cooperated in the past and apparently are willing to do so now. This seems to be a matter between Mr. Webb and Mr. Shields as long as the permit qualifications are not violated. If there are any problems or questions please feel free to contact us.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:JG:ks

Equal Opportunity Employer

773-3352



NO. 1686-2A

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 11-26-86

This is to notify you that the title to the lands described as follows:
suburban housing development-point of diversion located in NW 1/4 NW 1/4 Sec. 22, T5N, R30E
(Westriver Estates)

formerly owned by Raymond Shields, SR #3 Pierre

has been transferred to Robert H. Gerhart R 2 Box 17 Ft. Pierre La. 57532
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1686-2A as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board 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 SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Stanley) ss.

I, ROBERT H. GERHART 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.

Robert H. Gerhart
(Signed)

Subscribed and sworn to before me this 26th Day of November, 19 86

my Comm. Expires: 9/5/94

Alvin Robert
(Notary Public)

(SEAL)

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

410053

Pierre, December 22, 1936

RECEIVED OF Robert Gebhart, Route 2, Box 17, Fort Pierre, SD 57532

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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 1686-2A _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

Water Rights Division - DWR
Conversation or File Documentation

1686-2A
File No. 1686-2
1720-2

NAME OF PERSON OR FILE: Garland Webb

ADDRESS: _____ COUNTY Stanley

DATE: 25 Nov. 86 TELEPHONE 223-2201

RE: Shields well flowing onto his land.

COMMENTS:

Mr. Webb wanted to know if any legal remedy
for him concerning overflow water from
Shields' well damaging his land. Informed
him that overflow can legally be allowed to
run down a natural waterway. Also informed
Mr. Webb that a staff member would check the
Shields' well for compliance with qualifications
on permit.

Told him that County Commission might
be able to help him with drainage problem

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Sale McElhen

Water Rights Division - DWR
Conversation or File Documentation

1686-2A
File No. 1686-2
1720-2

NAME OF PERSON OR FILE: Robert Gebhart

ADDRESS: RR Ft. Pierre COUNTY Stanley

DATE: 11-26-86 TELEPHONE 223-2189

RE: Water from his well flowing onto Garland Webb's land

COMMENTS:

~~Mr~~ Called Mr. Gebhart. He didn't know anything about the water permit ent. Said the water is flowing into a dam and over flows into a draw. Said water is also coming from the North into the dam.

Well has a valve on it to control it but water is flowing to the dam now.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Tom Brainer

Water Rights Division - DWNR
Conversation or File Documentation

1686-2A
File No. 1686-2
1720-2

NAME OF PERSON OR FILE: Ray Shields

ADDRESS: _____ COUNTY Stanley

DATE: 11-26-86 TELEPHONE 724-5668

RE: His well flowing on to Garland Webb

COMMENTS:

Called Mr. Shields and mentioned the complaint
Mr. Webb had. Mr. Shields said that while he had
the land the well would run into a stock dam
and if this would overflow, the water would run
into a draw (on Mr. Webb's property?). Mr. Shields
stated that the draw has springs in it which run
at certain times of the year and he feels that
then a lot of the water in the draw is from the
springs not from dam overflow.

Mr. Shields further stated that he no longer
owns this parcel of land, but is now owned by
Robert Gebhart of rural Ft. Pierce.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Tom Brantner

December 4, 1986

File No. 1686-2A
1686-2
1720-2

MEMO TO: Gale Selken

FROM: Tom Brandner

SUBJECT: Flowing well complaint in Stanley County

On November 25, 1986 Mr. Garland Webb met with you concerning a flowing artesian well owned by Mr. Robert Gebhart. Mr. Webb stated that water from the well was overflowing onto his property causing damage to his land.

The following day I inspected Mr. Gebhart's well to check for compliance with the qualifications set forth on the permit. One pipeline brought water to his home for domestic use, and a different line carried flow to a neighbor for livestock watering. The flow of concern to Mr. Webb is a pipeline that Mr. Gebhart states is used to geothermally heat his home after which the overflow water is discharged from a pipe into a dam on his property. Discharge from the pipe was approximately 25 gpm. The water flowed into a dam which Mr. Gebhart stated was not being used for any livestock watering purposes. At the present time the water was about 1.0 foot below the level of the grass spillway. Some minor seepage was present on the downstream side of the dam. Downstream of the dam, where Mr. Webb's property is located, were a number of short, wide draws that drained to a deep ravine shaped channel, all of which had substantial snow cover. Therefore, it appears at the present time that the flow from Mr. Gebhart's well is not affecting Mr. Webb's property and that the great percentage of flow onto Mr. Webb's land is coming from snow melt and runoff below the dam. Also, when and if the dam should overflow, the water will drain into a natural waterway which is a legal method of discharge.

Although not presently affecting Mr. Webb's land, the overflow from the pipe serves no purpose beyond the initial home heating value. When heat from the water is not needed (as during the summer months) continued discharge from the overflow pipe would constitute wasting water which is a violation of South Dakota law. It would also result in noncompliance with a qualification to Permit No. 1686-2A which requires that flow from the well be minimized when not in use. Therefore the pipe discharge must be reduced to a minimum or flow stopped entirely when the well is not used for home heating purposes.

Water Rights Division - DWR
Conversation or File Documentation

1686-21
File No. 1686-2
1720-2

NAME OF PERSON OR FILE: Robert Gebhart

ADDRESS: R.R. Ft. Pierre COUNTY Stanley

DATE: 12-11-86 TELEPHONE 223-2489

RE: Flowing Artesian Well ~~From~~ Complaint from Gebhart Webb

COMMENTS:

Received a call from Robert Gebhart. He stated that he has to appear before an ASCS, board on December 16th because of a complaint filed by Mr. Webb.

Mr. Gebhart wanted to know what we found about his well, anything he should know before he goes in front of this board. More or less told him what we have on the letter we are going to send, i.e. that it presently didn't appear to be affecting any of Mr. Webb's land. Also told him our desire to have him shut the well down as much as possible and ~~that~~ ^{that the law} requires him to ^{to} reduce the flow considerably or stop it in the months when the water isn't used for heating.

He stated he had tried to turn it down before, but it ^(water) began to cool at the well head so he turned it back up.

Asked him about ~~his~~ ^{his} flow. Said he didn't know his domestic use, said Tim Tibbs (neighbor) used it for heating and his overflow was for cattle watering, but that Tibbs didn't now use the well for home use. Gebhart didn't know the ^{total} ~~total~~ flow in Tibbs or total flow from the well.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Tom Bradner

WATER RIGHTS DIVISION
(605) 773-3352

December 18, 1986

Robert Gebhart
RR 2, Box 17
Fort Pierre, South Dakota 57532

Dear Mr. Gebhart:

We are in receipt of the "Notice of Transfer" you submitted for transfer of Water Permit No. 1686-2A from Raymond Shields to you. However, before we can proceed with the transfer a \$2.50 filing fee will be required.

Please remit the filing fee as soon as possible. The transfer can be completed upon receipt of this fee.

I apologize for taking so long to get back to you on this requirement. If you have any questions, please contact our office.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms

December 22, 1986

NOTICE

Robert Gebhart
Route 2, Box 17
Ft. Pierre, South Dakota 57532

RE: Flowing Artesian Well

Dear Mr. Gebhart:

On November 26, 1986 Tom Brandner, a Water Rights Division engineer, investigated a complaint concerning your flowing artesian well. The complaint, by Garland Webb, was that overflow water from the well was damaging his property. The investigation was conducted to check compliance with the qualifications on Water Permit No. 1686-2A and with State Law.

The investigation revealed that the present overflow into the dam is not causing damage to Mr. Webb's property. Water Permit No. 1686-2A grants you the right to use the amount of high temperature water from your well to heat your home. It is our opinion that following its use for home heating, the water can be discharged to your dam and to the natural waterway below it without violating state law. However, South Dakota Codified Laws 46-6-14 and 46-6-21 prohibit the waste of water from a flowing well. Your Permit No. 1686-2A includes a qualification that the flow from the well must be reduced to a minimum when water is not being used. To comply with this requirement, the well discharge must be reduced to a minimum or stopped when the well is not used for home heating purposes.

Very truly yours,

John N. Selken
for John Hatch

John Hatch, Chief Engineer
Water Rights Division
605 773-3352

cc: Garland Webb

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1686-2A

Date: _____

I/We request that Water Permit No. 1686-2A

formerly owned by: Robert H Gebhart

be transferred to: (name & address) Gary Haag, 28179 Hwy 14-34, Ft Pierre, SD 57532

Telephone No. (605) 223-9113

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

diversion point: NE 1/4 NW 1/4 Section 22, T5N, R30E

I/We understand that the validity of Water Permit No. 1686-2A 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.

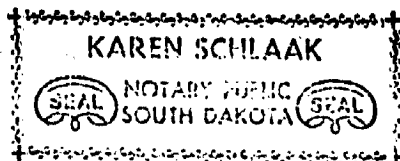
STATE OF SOUTH DAKOTA)

County of Hughes)

I/We Gary Haag being first July 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.

Gary H. Haag
(Signature of new owner)

Subscribed and sworn to before me this 5th day of December, 2000.



Karen Schlaack
(Notary Public)
KAREN SCHLAACK, Notary Public
My Commission Expires
April 1, 2001

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

NO 416705

Pierre, December 5, 2000

RECEIVED OF Gary H Heag, 28179 US Hwy 14/34, Ft Pierre SD 57532
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. ± 1686-2A

50 00

Fee for Filing Transfer Form 1686-2A

2 50

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

52 50

By Stanford Erbe
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1686-2A

(1) Raymond Shields, Pierre SD made Application No. 1686-2A, April 6, 1983 for a water permit to divert 0.15 cubic feet of water per second from groundwater (one well), Stanley County, South Dakota for geothermal heating and suburban housing development purposes. Permit No. 1686-2A, with a priority date of April 6, 1983 was approved July 20, 1983 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 20, 1988 and for the application to beneficial use of said water on or before July 20, 1992.

On December 6, 1986, Water Permit No. 1686-2A was transferred to Robert Gehhart and on December 5, 2000 transferred to Gary Haag.

An investigation conducted for licensing purposes found the well under Water Permit No. 1686-2A was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.15 cubic feet of water per second for beneficial use. The location of the diversion point is 832 feet south and 1,683 feet east from the northwest corner of Section 22-T5N-R30E (NE ¼ NW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Gary H Haag, 28179 Hwy 14-34, Ft. Pierre SD 57532 the holder and/or owner of Water Right No. 1686-2A is issued a license to appropriate water, the right to use 0.15 cubic feet of water per second from groundwater (one well) with a priority date of April 6, 1983 from the location specified in (2) of this license for geothermal heating and domestic use. This license is subject to any limitations or qualifications listed in Water Right No. 1686-2A and subject to South Dakota State Law.

Garland Erbele

GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 02 2001

date



NAME: Robert Gebhart

ADDRESS: Route 2 Box 17, Pierre, SD 57501

DATE: 8/2/00 **COUNTY:** Stanley **TELEPHONE:**

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**

Water Permit No. 1686-2A appropriates 0.15 cubic feet per second from a controlled flowing well located in the NE¼ NW¼ Section 22 T5N R30E. An onsite investigation and review of filed documents found the legal description on the original application and Notice of Hearing posted in the local newspaper to be in error.

The legal description as noticed in the local newspaper was for the NW¼ NW¼ Section 22 T5N R30E. The onsite investigation placed the location of the wellhead at the NE¼ NW¼ Section 22 T5N R30E as confirmed with a handheld GPS unit with a lock on error of 50 feet at the time the position reading was taken.

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

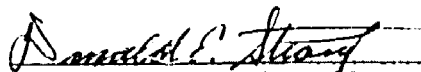
The well is for domestic and geothermal purposes. No land is irrigated.

- **Review of Existing Diversions**

This change in the legal position description of the wellhead does not increase the potential for interference with existing diversions.

RECOMMENDED ACTION

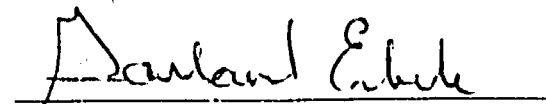
Based on the above criteria, it is recommended that the diversion point be licensed as developed.



Donald E. Stroup, 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 change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Permit No. 1686-2A

Report Of Examination Of Works And/Or Application of Water To
Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

On, July 27, 2000 I made a thorough examination of the water use system constructed by Raymond Shields the original holder of Permit No. 1686-2A, bearing the priority date of 1983 and authorizing the diversion of 0.15 cu. ft. per second of groundwater for Domestic and GeoThermal purposes in Stanley County.

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

Works used to apply water to beneficial use: One well and 1.5 PVC delivery lines. A schematic of the delivery system is presented on the plat of lots 1-4, Hinesh's 1st Addition.

The system is in the following condition: Fair, there is very minor seepage at several connections of the delivery line at the well head. The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22 T5N R30E (N44° 23' 02" W100° 29' 02"). The works are capable of conveying to the place of use 0.15 cu. ft. per second of water to be used for domestic and geothermal purposes. Water has been put to beneficial use to the maximum extent as follows: Well supplies water to one household for heating and normal home uses plus stock watering.

The license should be issued for 0.15 cfs.

Applicable permit qualifications have been complied with: Yes

Exceptions to compliance are: None

Donald E. Stroup
Donald E. Stroup
Natural Resources Engineer
DENR, Water Rights Program

8/2/00
Date

REPORT ON INSPECTION OF PERMIT NO. 1686-2A

DATE OF INSPECTION: 7/27/2000

Other permit(s) associated with the project: **None**

Contact Person & Address: **Gary Haag, 28179 Hwy 14, Ft. Pierre, SD 57532**

DIVERSION POINT LEGAL LOCATION: NE¼ NW¼ Section 22 T5N R30E

WATER SUPPLY Source: **1 Controlled Flowing Well**

Well Information:

- | | |
|---|--------------------------------------|
| 1) Well Drilling Firm: Huron Drilling Inc. | 2) No. of Wells: 1 |
| 3) Depth(s) 2120 feet | 4) Well log is available: Yes |

Casing:

Outer:

- | | |
|-----------------------------|---------------------------|
| 1) Diameter 5 inches | 2) Length 200 feet |
| 3) Type: Steel | |

Inner:

- | | |
|-----------------------------|--|
| 1) Diameter 2 inches | 2) Length Top of Water Bearing Sand Rock 2080-2100' |
| 3) Type: Copper | |

Screen:

- | | |
|---|---------------------------|
| 1) Type: Perforated 2" Copper | 2) Length 200 feet |
| 3) Static water level NA feet Flowing Artesian Well 30 psi on gage at Well Head | |

Remarks:

Gary Haag is in the process of purchasing the property where the well is located. Presently the well is supplying water to one household for domestic use.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JAN 02 2001

1686-2A

Gary H. Haag
28179 Hwy 14-34
Ft. Pierre SD 57532

Dear Mr. Haag:

Enclosed is Water License No. 1686-2A. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416705 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

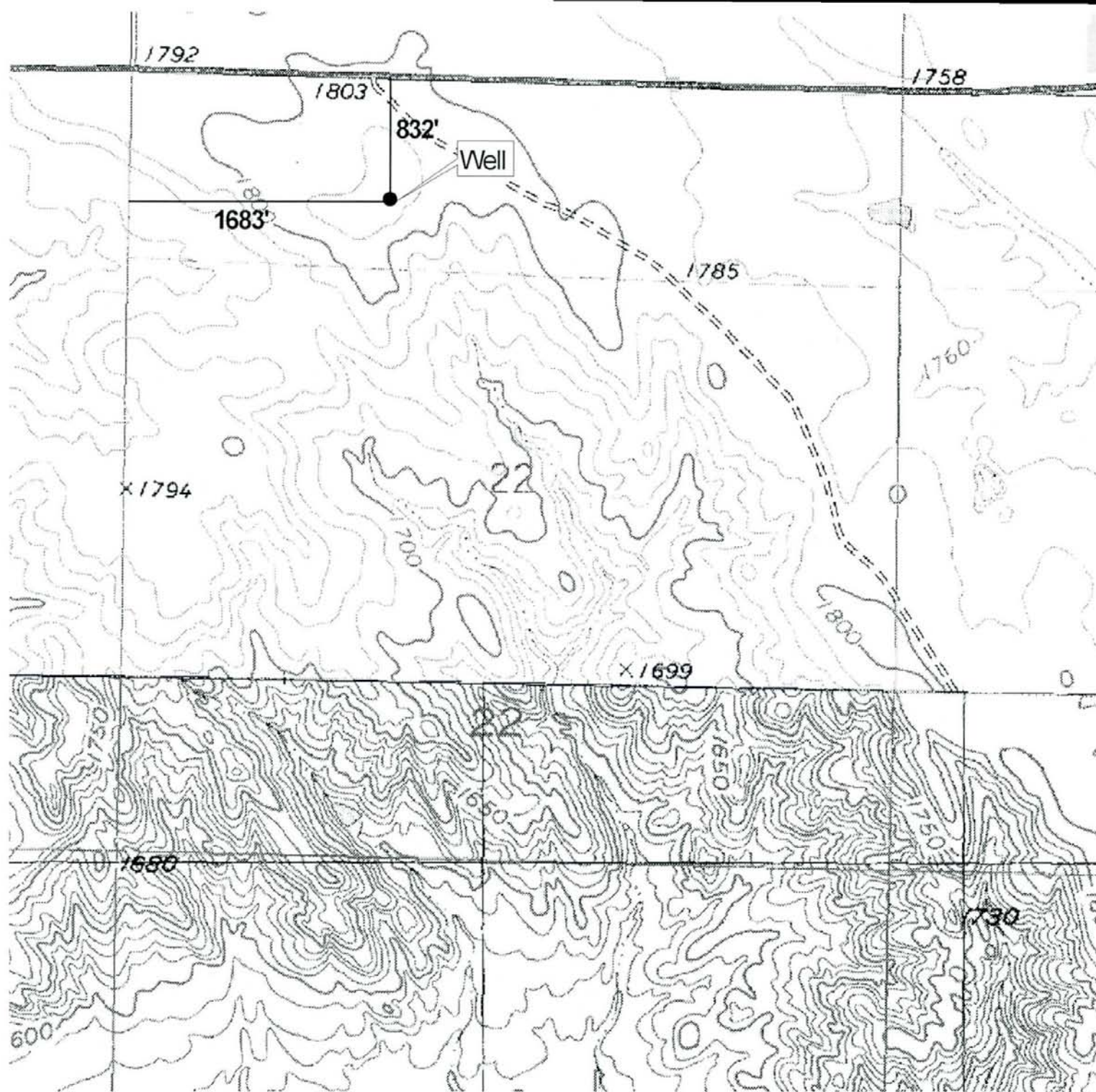
For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1686-2A, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



Not to Scale

Permit # 1686-2A
Gary Haag - Domestic

NE1/4 NW1/4 T5N R30E

Donald E. Stroup 8/2/00
Donald E. Stroup
Natural Resources Engineer
DENR Water Rights Program

1686-2A