

Considered: _____

WATER PERMIT NO. 1902-2

MAP No. 1902-2

Name of Applicant Carol's Slash I Bar & Restaurant

Post Office Address Box 489, Piedmont 57769

Amount of Water Claimed 0.01 Total Acres _____

Source of Water Supply RRW groundwater 250

Water to be used for COM County MD

About _____ miles _____ of _____.

PROOF OF PUBLICATION: Received 10-29-84 Not Received _____

APPLICATION: Approved 12-5-84 Subject to _____

F.F.& C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 7/9/84 Fee 50.00 Remarks _____

7/9/84

Corrected Application Received 8/13/84 Period of Annual Use 1/1 to 12/31

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10-3N-6E

Land to be Irrigated _____

*	10				

Well Log: Driller no log available Licensed YES _____ NO _____

Depth of Well 250' (on application) REMARKS _____

Type of Map Topo PREPARED BY Kevin Larson, DWNr Reviewed and the Number _____

assigned on 10/15/84 By Betty Westlund

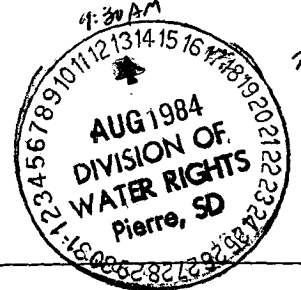
Betty Westlund NRA III

WED No. 1902-2 Hydrologic Unit 10120111
Map No. 1902-2 Basin UC
Newspaper MEADE Co Times TRIBUNE Box 69 STURGIS 57785

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

Check use of water: Industrial ☐ Commercial ☒ Municipal ☐ Other Common Distribution System ☐
Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
Domestic ☐ (above 18gpm) Other ☐ Originally rec'd 7-9-84

Type of Application: Check one or more of the following



New ☒ Vested Right ☐ Future Use ☐ Change Use ☐
☐ Amend Permit No. _____ with old priority date retained
Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____
☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____
☐ Construction to use water reserved by Future Use Permit No. _____

1. Name of Applicant Carol's Slash J Bar & Restaurant Phone No. 787-5518Post Office Address Box 489, Piedmont South Dakota State 57769
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s) .013. Source of water supply Well (No log available)4. Location of point of diversion NW⁴ SW⁴ sec. 10 T3N R6ECounty Meade5. Counties where water will be used Meade

6. Annual period during which water is to be used _____ year around

7. Give a brief description of proposed 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)

Well was drilled several years ago. It is about 250 feet deep, has an 8 inch casing. It is a shared well with Tom Costello.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

X STATE OF SOUTH DAKOTA)
County of Meade) ss

I, Carolyn J. Hansen the applicant, certify that I have read the foregoing application, 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 X Carolyn HansenSubscribed and sworn to before me this 30 day of July 19 84Kevin C. Larson

Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1902-2

Carol's Slash T Bar & Restaurant Box 489 Piedmont
(Applicant) (Post Office Address)
S.D. 57769 With the following qualifications.
(State) (Zip Code)

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 July 9, 1984

Date of return to applicant for correction, amendments or changes required —, 19—

Date of receipt of corrected application —, 19—. Approved December 5, 1984

The Water Management Board hereby approves this Water Permit No. 1902-2 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is July 9, 1984
2. The equivalent of at least one-fifth of the specified work is to be completed on or before —, 19—
3. The whole of said work is ~~to be~~ completed ~~on or before~~ —, 19—
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is —, 19—
5. The water appropriated shall be used for the purpose of Commercial use
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.01 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 to which water is actually and beneficially applied for Commercial use ~~on or before~~ —, 19—; said water to be used during the following described annual period: Jan. 1 to Dec. 31

WATER MANAGEMENT BOARD
 By: John Hatch Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
 January 24, 1985

WELL DRILLERS REPORT

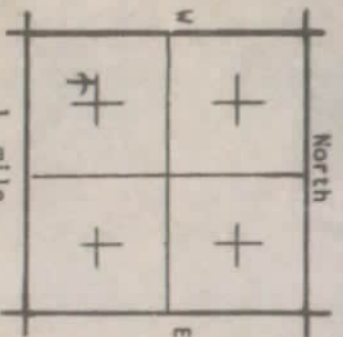
SOUTH DAKOTA WATER RIGHTS COMMISSION

4-78

Well Owner: Piedmont City Park
 Name Piedmont S. Dak.
 Address Piedmont S. Dak.

Well Location:

Mark location
with an "X"



County Head
 SW $\frac{1}{4}$ Sec. 10 Twp. 2N Rg. 6 E.

Proposed Use:

☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

☒ Forward Rotary ☐ Bored ☐ Jetted
☐ Reverse Rotary ☐ Cable ☐ Other

Well Construction:

Diameter of Hole 6 1/4
 Depth 120
 Casing ☒ Steel ☐ Concrete
 if other, specify Plastic ☐ Other

Was casing end left open Yes
 Was a well screen installed Yes
 Describe Well Screen

Diameter 6 1/4 Material Steel
 Was 1 gravel packed
 Was well grouted Yes
 Was water sample taken Yes

Remarks:



Water Level Information:

Static water level 2 below land surface
 If flowing: closed in pressure PSI
 rate of flow GPM

Controlled by: ☐ Valve ☐ Reducers ☐ Other
 If other: specify

Well Test Data:

☒ Pumped 50 GPM
☒ Bailed Describe. 50 GPM
☐ Other

Pumping Level Below Land Surface
 ft. After Hrs. pumped GPM
 " " " " " "
 " " " " " "

Well Log:

Formation	From	To
Dirt	0	10
Gravel	10	18
Red Shale	18	95
Limestone Minnehaha	95	120

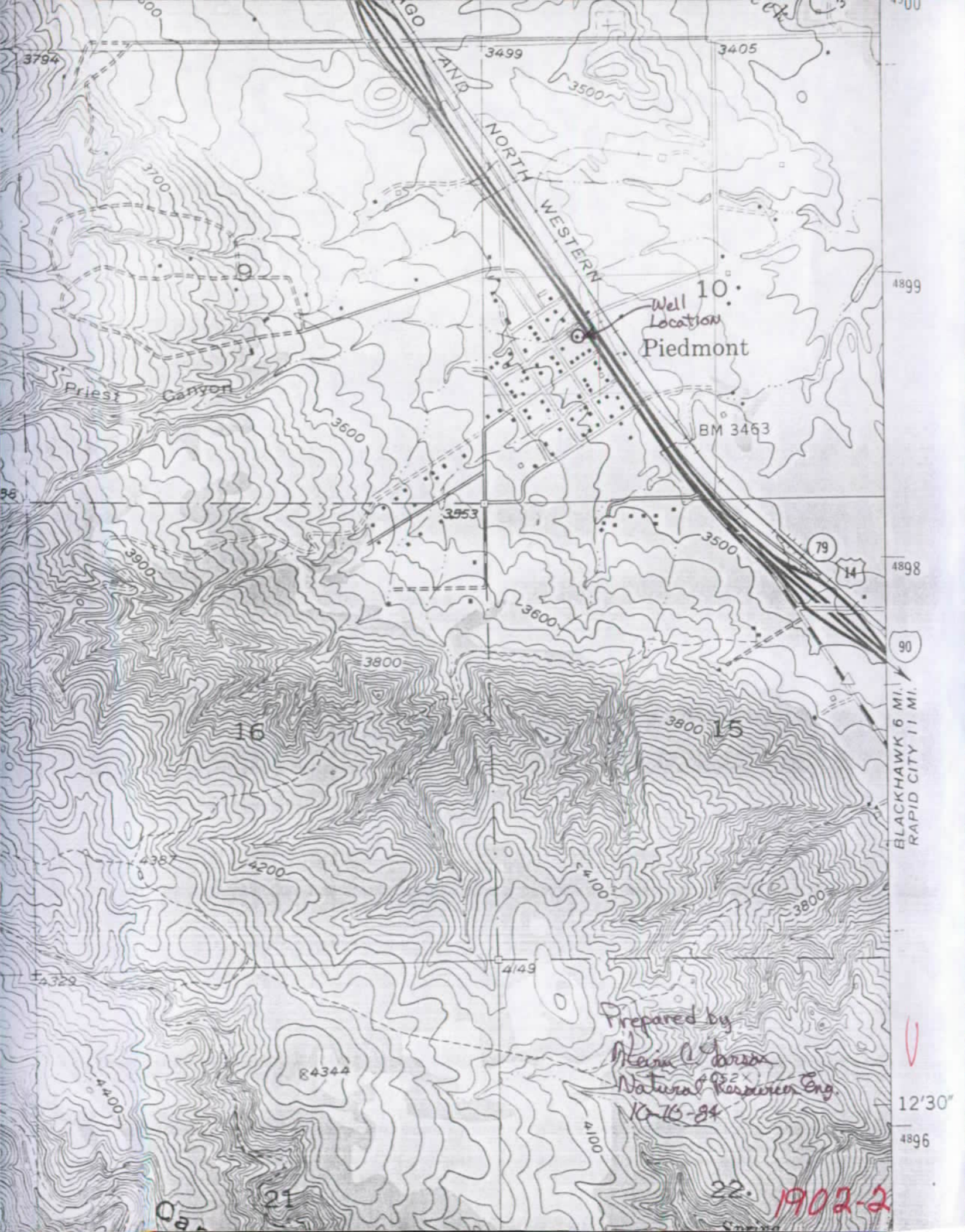
(Use Back if Necessary)

Date Completed: 4/20/78

Driller:

Downen Drilling Co.
 Driller's or Firm's Name 38
Box 108 License No.
Box 108 Dak.
 Address

Signed By Date



RECEIPT

Division of Water Rights

No 4 9703

South Dakota Department of Water and Natural Resources

Pierre, July 9, 1984

RECEIVED OF Slash Bar & Lounge, Carolyn Hansen, Star Route B, Box B6W, 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 works 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 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	50 00

By John Hatch
Chief Engineer

JOHN HATCH/MS

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

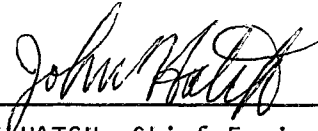
APPLICATION NO. - 1902-2

Pursuant to SDCL 46-2A-2 the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1902-2, Carol's Slash J Bar and Restaurant, Box 489, Piedmont, South Dakota.

The Chief Engineer is recommending APPROVAL of Application No. 1902-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

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

See the attached report for additional information.



JOHN HATCH, Chief Engineer
Water Rights Division
October 17, 1984

REPORT ON APPLICATION NO. 1902-2
CAROL'S SLASH J BAR AND RESTAURANT
October 16, 1984

This application requests .01 cfs from an existing well 250 feet deep to be used for commercial purposes. The point of diversion is located in the NWSW section 10 T3N R6E BHM.

Aquifer - Minnelusa

Geology and Aquifer Characteristics

The Minnelusa Formation is a varied assemblage of sandstone, limestone, dolomite, and shale (Rahn, 1979) and is approximately 600 feet thick and in Meade County contains approximately 81.48 million acre feet of recoverable water (Allen, Etal, 1984).

There is no log submitted with this application only the well depth. A well 250' deep at this location would be into the upper Minnelusa. The Water Rights Division recently drilled an observation well into the Minnelusa (MD-84A) which is about 1/2 mile southeast of this application. There are numerous domestic wells in the Minnelusa in this area (Water Rights Division Well Files, 1984).

The aquifer is under artesian conditions and fluctuating water levels will occur during pumping.

Review of Existing Water Permits (Water Right Permit Files, 1984)

842-1	A. Anderson	(I)	1.00 cfs	1)	387'	Minnelusa
843-1	L. Wilburn	(I)	.77 cfs	1)	480'	Minnelusa
1155-1	C. Walsh	(C)	.03 cfs	1)	400'	Minnelusa

The well information for Permits No. 842-1 and 843-1 is not complete. Both wells are old and only the depths are given and that may be approximate. These are free flowing wells whereas No. 1155-1 is a pumped well. Although interference is likely, there has never been any complaints.

Conclusions

- 1) Water is available from the Minnelusa Formation.
- 2) Interference is likely, however, the amount of water requested by this application is not significant and would not affect existing rights.
- 3) The Water Rights Division has a monitoring well in the area and will be able to measure water levels.


James A. Goodman, Hydrologist

Bibliography

Allen, J.C., D. Illes, A. Petres, 1984, Draft Final Ground Water Resource Inventory, for U.S. Army Corps of Engineers, DWNR, Division of Geological Survey, Vermillion, SD, 57069.

Rahn, P.H., 1979, Ground Water Resources of Western SD, for U.S. Army Corps of Engineers, SDSM&T Project # 2533, Rapid City, SD 57701.

Water Rights Division, 1984, Observation Well (MD-84A), DWNR, Water Rights, Joe Foss Bldg., Pierre, SD 57501.

Water Rights Division, 1984, Water Permit Files, DWNR, Water Rights, Joe Foss Bldg., Pierre, SD 57501.

Water Rights Division, 1984, Well Files, DWNR, Water Rights, Joe Foss Bldg., Pierre, SD 57501.

WP or ~~WR~~ No. 1902-2

Instruction to Newspaper - Publish first publication of the following Notice on or before October 24, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1902-2 to Appropriate Water and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that Carol's Slash J Bar & Restaurant whose mailing address is Box 489, Piedmont, South Dakota has made an application for a permit

to appropriate 0.01 cubic feet per second of water from one existing well 250 feet deep in the Minnelusa formation located in the NW¼SW¼, Section 10, T3N, R6E. The water will be used for Commercial purposes in a Bar and Restaurant.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1902-2 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 Joe Foss Building, Room 216, 523 E. Capitol, Pierre, South Dakota, December 5 1984 at 10:00 am.

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 and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by November 23, 1984. The petition may be informal, but it must include a statement describing the petitioners 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.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 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 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

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 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, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. 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 November 23, 1984.

No. 1902-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Meade) ss.

I, Jackie Allison hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Meade County Times

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

Oct. 24, 1984
Oct. 31, 1984

Jackie Allison
(Signature)

Bulling Clerk
(Title)

Oct 24, 1984
(Date Signed)

Cost of Printing: 39.69

WNR-808-7/79
Proof of Publication

handicapped can contact the Water
Rights Division, DWR, Joe Foss
Bldg., Pierre, SD (605 773-3352) for
assistance prior to the hearing date.
The time of the hearing will be auto-
matically 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 November 23, 1984.

Publ Oct. 24 & 31, 1984
Times-Tribune

NOTICING OF HEARING
ON APPLICATION NO. 1902-2 TO
APPROPRIATE WATER

Notice is hereby given that Carol's
Slash J Bar and Restaurant whose
mailing address is Box 489, Piedmont,
South Dakota has made an application
for a permit to appropriate 0.01 cubic
feet per second of water from one
existing well 250 feet deep in the
Minnelusa formation located in the
NW 1/4 SW 1/4, Section 10, T3N, R6E. The
water will be used for Commercial
purposes in a Bar and Restaurant.

Pursuant to SDCL 46-2A-2 the Chief
Engineer of the Water Rights Division
recommends approval of Application
No. 1902-2 because 1) unappropriated
water is available, 2) will be no unlaw-
ful 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 Joe
Foss Building, Room 216, 523 E.
Capitol, Pierre, South Dakota,
December 5, 1984 at 10:00 am.

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 and who intends to participate
in the hearing before the Board and
present evidence or cross-examine
witnesses according to SDCL 1-26, must
file a written petition with both the
Applicant and the Chief Engineer by
November 23, 1984. The petition may be
informal, but it must include a state-
ment describing the petitioners 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.

This application is made pursuant to
the provisions of SDCL 46-1-1 thru 46-1-
9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-
2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16,
46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1
thru 46-2A-10, 46-2A-12; 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.

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 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



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

January 4, 1985

Carol's Slash J Bar & Resturant
Box 489
Piedmont SD 57769

Dear Ms. Hansen:

Enclosed is your Water Permit No. 1902-2 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in black ink that reads "John Hatch". The signature is written in a cursive style with a large, stylized "J" and "H".

JOHN HATCH, Chief Engineer
Water Rights Division

JHks

enclosure

Permit No. 1902-2
Upper Cheyenne - Water District

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

I have this day, July 13, 1999, made a thorough examination of the water use system constructed by Carol's Slash J Bar and Restaurant of PO Box 201, Piedmont SD 57769 holder of Permit No. 1902-2, bearing the priority of July 9, 1984 authorizing the diversion of 0.01 cu. ft. per second of the waters of Minnelusa Formation for commercial purposes, in Meade County.

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

A. Works used to divert the water:

Pump\Motor:

- 1) Make Unknown submersible
- 2) Capacity 4 to 5 GPM

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

Water is used to supply the bar and a home owned by Percy Hansen.

The system is in the following condition good. The point of diversion is located Well: $\approx$ 1,850 feet N and $\approx$ 990 feet E from the SW corner sec 10-T3N-R6E (NW $\frac{1}{4}$ SW $\frac{1}{4}$). The works are capable of diverting and conveying to the place of use 0.01 cu. ft. per second of water which is to be used for commercial purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.01 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: none Date report completed: August 25, 1999



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 1902-2

DATE OF INVESTIGATION	July 13, 1999
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Nancy Speaks, owner
NAME & ADDRESS OF PERMIT HOLDER	Carol's Slash J Bar & Restaurant PO Box 201 Piedmont SD 57769
DIVERSION POINT LEGAL LOCATION	Well: $\approx$ 1,850 feet N and $\approx$ 990 feet E from the SW corner sec 10-T3N-R6E (NW $\frac{1}{4}$ SW $\frac{1}{4}$)

Other permit(s) associated with the project: none

WELL INFORMATION:

- 1) Well Drilling Firm: unknown
- 2) No. of Wells 1
- 3) Depth(s) 250 feet
- 4) Well log is available N

Pump\Motor:

- 1) Make Unknown submersible
- 2) Capacity 4 to 5 GPM

DISTRIBUTION LINES OR CANALS:

Water is used to supply the bar and a home owned by Percy Hansen.

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 27, 1999

1902-2

Carol's Slash J Bar and Restaurant
Nancy Speaks, Owner
P.O. Box 201
Piedmont, SD 57769

Dear Ms. Speaks:

The investigation of your water use system was conducted on July 13, 1999, by Ron Duvall, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1902-2. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

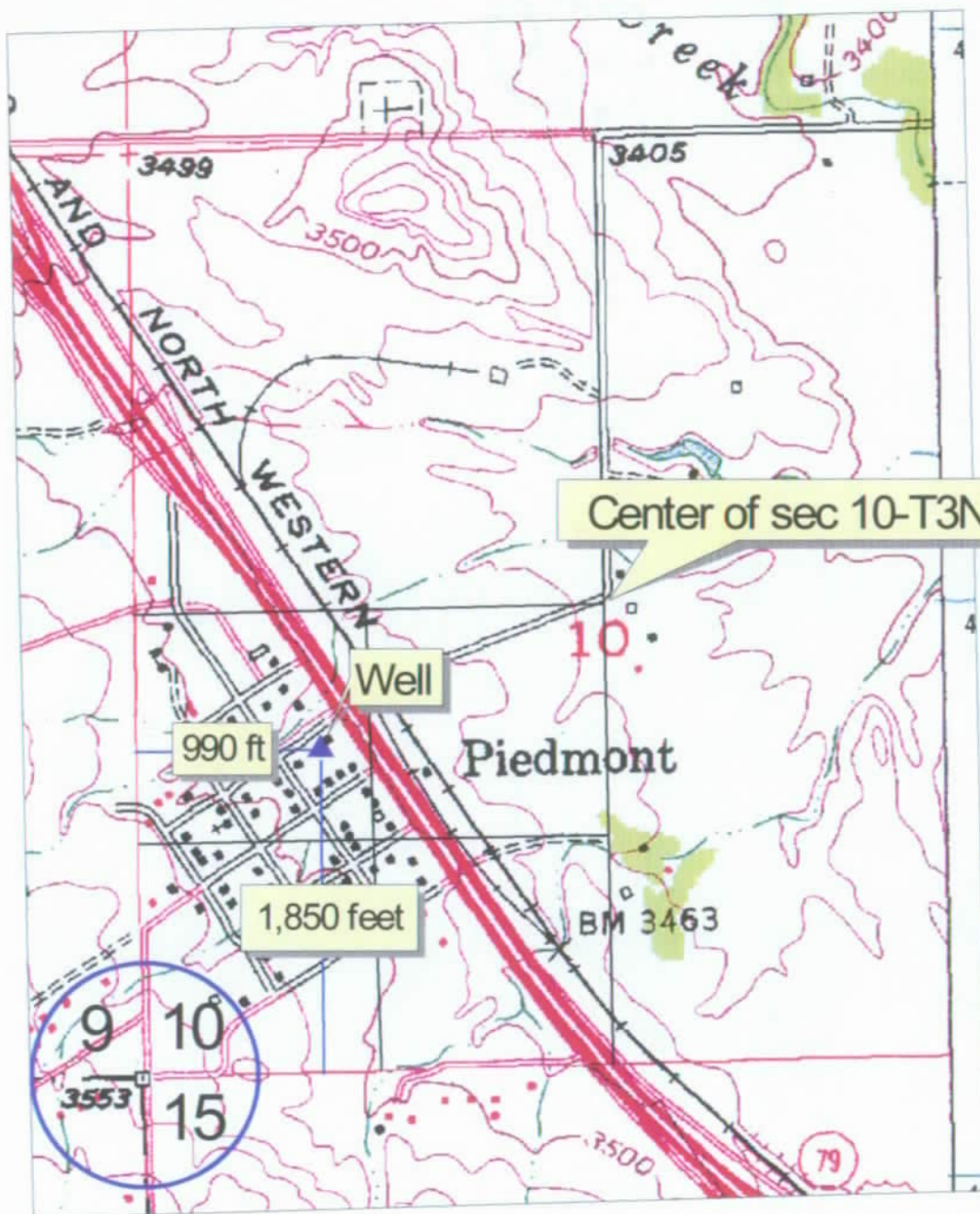
Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

1000 0 1000 Feet



Ron Duvall, Nat Res Engineer

8/25/99

Water Right No. 1902-2

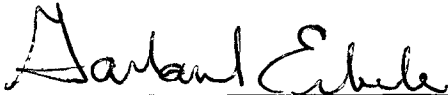
STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1902-2

(1) Carol's Slash J Bar and Restaurant, PO Box 201, Piedmont SD 57769 made Application No. 1902-2, July 9, 1984 for a water permit to divert 0.01 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for commercial use purposes. Permit No. 1902-2, with a priority date of July 9, 1984 was approved December 5, 1984 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.01 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 1,850 feet north and 990 feet east from the southwest corner of Section 10-T3N-R6E (NW ¼ SW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for the bar restaurant and a home.

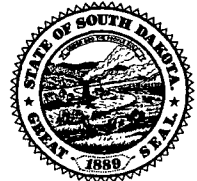
(4) Pursuant to South Dakota Water Law 46-5-30.1 Carol's Slash J Bar and Restaurant, PO Box 201, Piedmont SD 57769 the holder and/or owner of Water Right No. 1902-2 is issued a license to appropriate water, the right to use 0.01 cubic feet of water per second from groundwater (one well) with a priority date of July 9, 1984 from the location specified in (2) of this license for commercial use purposes. This license is subject to any limitations or qualifications listed in Water Right No. 1902-2 and subject to South Dakota State Law.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 24 2000

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 24, 2000

Permit No. 1902-2

REMINDER NOTICE

TO: Nancy Speaks, Carol's Slash J Bar & Restaurant, PO Box 201, Piedmont, SD 57769

FROM: Garland Erbele, Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: Water License/Investigation Fee Requirement

On August 27, 1999, we advised you that a \$50.00 fee is due for the completed investigation of Water Permit No. 1902-2. The fee also covers issuance of your water license which is the final document in obtaining and perfecting a water right.

To date, we have not received the \$50.00 fee; therefore, we can not issue the water license. Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by any permit requirements.

Please remit the fee as soon as possible to obtain your water license. In addition, South Dakota water law does not allow water to be diverted until the license fee is paid. To avoid jeopardizing your ability to use water, please send the fee to the following address:

Department of Environment and Natural Resources
Water Rights Program
523 E Capitol
Pierre SD 57501-3181

Thank you for your prompt response. If you have any questions or believe our records are in error, please contact Genny McMath at (605) 773-3352.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 27, 2000

FINAL NOTICE
Permit No. 1902-2

Nancy Speaks
Carol's Slash J Bar & Restaurant
PO Box 201
Piedmont, SD 57769-0201

Dear Ms. Speaks:

On August 27, 1999 and February 24, 2000, we advised you that a of \$50.00 fee was due for the completed investigation of Water License No. 1902-2. The fee also covers issuance of the water license which is the final document in obtaining and perfecting a water right. To date, the fee has not been received.

A billing statement is enclosed. If the fee is not paid within 30 days from the date of this letter, the water license will not be issued and the bill will be turned over to a collection agency. Please remit the required fee to the Department of Environment and Natural Resources, Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181. The check or money order for the fee should be made payable to the "Water Rights Program".

If you have any questions or believe our records are in error, please contact Genny McMath at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

enclosure

Please make payments payable to the **"Water Rights Program"**. Return this portion with payment to the Water Rights Program, Department of Environment & Natural Resources, 523 East Capitol, Pierre, SD 57501-3181

Please make any changes to the name & mailing address that are not correct.

Name: Nancy Speaks, Carol's Slash J Bar & Restaurant
Mailing Address: PO Box 201
City, State, Zip: Piedmont, SD 57769-0201



Type of Fee	Amount Due	Permit Number
License	\$50.00	1902-2

Signature Linda Robertson Date 19 Aug 00

Should you have any questions regarding the above fees, please contact Genny McMath (605) 773-3352
Water Rights Program, Department of Environment & Natural Resources

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

Nº 416607

Pierre, August 22, 2000

RECEIVED OF Slash J Bar, PO Box 201, Piedmont SD 57769-0201
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. 1902-2 _____

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer

John H. Hart *Donland Erbelev*

KS



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 24 2000

1902-2

Carol's Slash J Bar and Restaurant
Nancy Speaks
PO Box 201
Piedmont SD 57769

Dear Ms. Speaks:

Enclosed is Water License No. 1902-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416607 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. 1902-2, 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

RECEIVED

APR 30 2008

WATER RIGHTS
PROGRAM

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

NOTICE OF TRANSFER OF OWNERSHIP

EPA ID # 0637

Water Right/Permit No. 1902-2

Date: 4-23-08

I/We request that Water Right/Permit No. 1902-2 formerly owned by:

Nancy Speaks - slash J be transferred to:

New Owner Name: Nasbar, Inc dba Sawtooth Saloon

Address: PO Box 8452

City, State, Zip Rapid City SD 57709 Telephone No. 605-348-1125

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

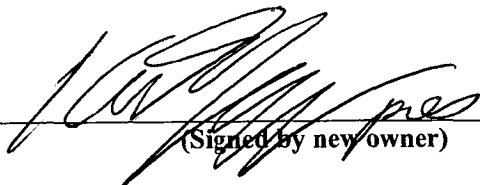
lots 1, 2, 3 in Block 3 of the Town of Piedmont,
Meade County, South Dakota.

☒ I understand that the validity of Water Right/Permit No. 1902-2 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 Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

I, Nasbar Inc, the new owner, certify that the above information is true and correct.


(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 4/30, 2008

RECEIVED OF Nagbar Inc. dba/Sawtooth Saloon PO Box 8452 Rapid City SD 57709

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>1902-2</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.

03650

By 
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 2, 2008

1902-2

Kent Hagg, President
Nasbar Inc
PO Box 8452
Rapid City SD 57709

Dear Mr. Hagg:

I am writing to acknowledge receipt of the ownership change you filed for Water Right No. 1902-2. The transfer has been completed. Water Right No. 1902-2, formerly held by **Nancy Speaks dba Slash J Bar and Restaurant** is now listed in the name of **Nasbar Inc dba Sawtooth Saloon**.

Enclosed is your Receipt No. 03650 in the amount of \$2.50 which you paid for filing the ownership change.

If you have any questions concerning the water right, please get in touch with us.

Sincerely,

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

enclosure

RECEIVED

AUG - 1 2008

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 1902-2

Date: _____

I/We request that Water Right/Permit No. 1902-2 formerly owned by:

Narbon, Inc. dba Sawtooth Saloon

be transferred to:

New Owner Name:

Narbon, Inc., dba Sawtooth Saloon

Address:

420 Quincy Street

City, State, Zip

Pied City, SD 57701

Telephone No.

787-4277

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

Lots 1, 2, 3 in Block 3 of the Town of Piedmont,
Meade County, South Dakota.

☒ I understand that the validity of Water Right/Permit No. 1902-2 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 Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

I, Kelli McFarland, the new owner, certify that the above information is true and correct.

President, Narbon Inc dba Sawtooth Saloon

Kelli McFarland

(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 8/1, 20 08

RECEIVED OF NASBAR INC dba Sawtooth Saloon PO Box 8452 Rapid City SD 57709

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 _____ 1902-2		
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. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	2	50

No.

03706

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

August 5, 2008

1902-2

Kelli McFarland, President
Nasbar Inc
DbA Sawtooth Saloon
420 Quincy St
Rapid City SD 57701

Dear Ms. McFarland:

I am writing to acknowledge receipt of the ownership change you filed for Water Right No. 1902-2. It is our understanding that even though the name stayed the same, the actual ownership of the company changed.

The transfer of Water Right No. 1902-2 has been completed. Enclosed is your Receipt No. 03706 in the amount of \$2.50 which you paid for filing the "Notice of Transfer of Ownership".

If you have any questions concerning the water right, please give me a call.

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

enclosure