



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 12 2008

1929C-2

Steve Simunek
102 Sandpiper Dr
Hot Springs SD 57747

Dear Mr. Simunek:

Enclosed is your Water License No. 1929C-2. Based on an ownership change filed by Floyd Simunek Jr. for one of the wells authorized by Water Right No. 1929A-2, that license was divided and reissued to reflect separate ownership.

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. 1929C-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,

A handwritten signature in black ink, appearing to read "Garland Erbele".

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

enclosure

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1929C-2
DIVISION OF NO. 1929A-2 INTO 1929B-2 AND 1929C-2

(1) Floyd Simunek Sr and Steve Simunek, Hot Springs SD were issued Water License No. 1929A-2, December 18, 1995 for a water permit to divert 0.10 cubic feet of water per second (cfs) from ground water (two wells – Inyan Kara), Fall River County, South Dakota for commercial purposes. Water License No. 1929A-2, with a priority date of May 1, 1985 was issued to the permit holders with construction and application of water to beneficial use completed.

An ownership change has occurred for one of the wells described in Water Right No. 1929A-2. Since the wells are operated independently and no longer used as a back-up source for each other, the water right is being divided and reissued to reflect separate ownership as follows:

No. 1929B-2: Floyd Simunek, Jr, 646 S 5th St, Hot Springs SD 57747 authorizing diversion of 0.05 cfs from Well #1 to be used for commercial purposes at the Ponderosa Subdivision;

No. 1929C-2: Steve Simunek, 102 Sandpiper Dr, Hot Springs SD 57747 authorizing diversion of 0.05 cfs from Well #2 to be used for commercial purposes in a bar and restaurant.

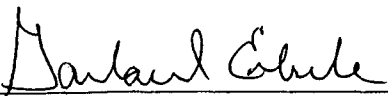
(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and the application of water to beneficial use and is entitled to divert 0.05 cubic feet of water per second for beneficial use.

The location of the diversion point is Well #2 – 960 feet east and 1,520 feet south of the NW corner of Section 34, T7S, R6E (SW ¼ NW ¼).

(3) Pursuant to South Dakota Water Law 46-5-30.1 Steve Simunek, 102 Sandpiper Dr, Hot Springs SD 57747 the holder and/or owner of Water Right No. 1929C-2 is issued a license to appropriate water, the right to use 0.05 cubic feet of water per second from ground water (one well - Inyan Kara) with a priority date of May 1, 1985 from the location specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 1929A-2 and subject to the following qualification:

- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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.



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

JUN 12 2008

date





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October 21, 2009

399-2
399A-2
1929C-2

Steve L Simunek
27851 S Buffalo Gap Rd
Oral SD 57766-7249

Dear Mr. Simunek:

Enclosed is a "Notice" dated October 16, 2009 concerning the 2009 irrigation questionnaire for Water Right No. 399-2.

The notice was originally mailed to 102 Sandpiper Dr, Hot Springs SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures