

Considered: _____

WATER PERMIT NO. 02188-2

Phone: 673-4691

Name of Applicant: Custer Lutheran Fellowship

Post Office Address: HC 83, Box 83, Custer SD 57730

Amount of Water Claimed: 0.0067 cfs 3 gpm Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: institutional County: Custer

About 2 miles East of Custer

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 3-28-91 Fee: \$50 Remarks _____

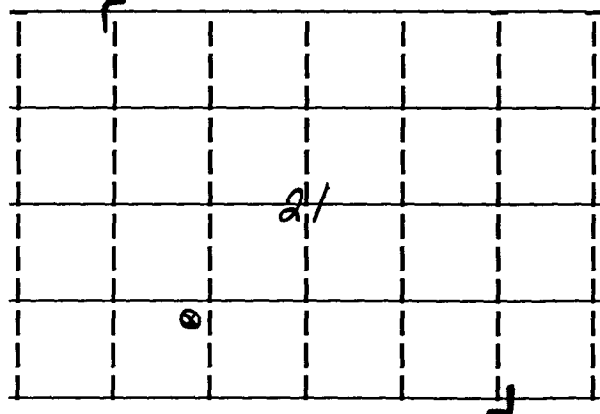
Corrected Application Received 6-17-91 Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: SW 1/4 SW 1/4 Sec 21-T3S-R5E

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 100' REMARKS no log available

Type of Map: topot PREPARED BY: Don Kraus, P.E. Reviewed and the Number

Assigned on 6-18-91 By Karen Schlaak

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

No. 2188-2 Hydrologic Unit 10120109
Map No. _____ Basin Upper Cheyenne
Newspaper Custer Co Chronicle, Box 551 (Wed)
Custer 57730

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 ☒ Non-profit Organization (church)

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 Custer Lutheran Fellowship Phone No. 673-4691
Post Office Address HC 83 Box 83 Custer State SD 57730
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 10.0067 3gpm

3. Source of water supply well

4. Location of point of diversion unknown lot 1 of Tract A
of Stockade place MS #725 SW 1/4 Sec 21
T35 R5E B4M (SW 1/4 SW 1/4) County Custer

5. Counties where water will be used Custer

6. Annual period during which water is to be used yearly Jan 1 - Dec 31

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)

EXISTING WELL ON CHURCH PROPERTY WILL BE UTILIZED FOR A NEW HOUSE (PARSONAGE) BEING BUILT BY CUSTER LUTHERAN FELLOWSHIP TO REPLACE A MOBIL HOME PRESENTLY ON THE SITE.

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

STATE OF SOUTH DAKOTA)
County of Custer) ss

I, Don Kraus For Custer Lutheran Fellowship the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed Don Kraus

Subscribed and sworn to before me this 13 day of June 1991

Wanda P. Boell
Notary Public
My Commission Expires 12/15/95

1. Well Information - Proposed construction

- ## 2. Dugout Information Estimates

-

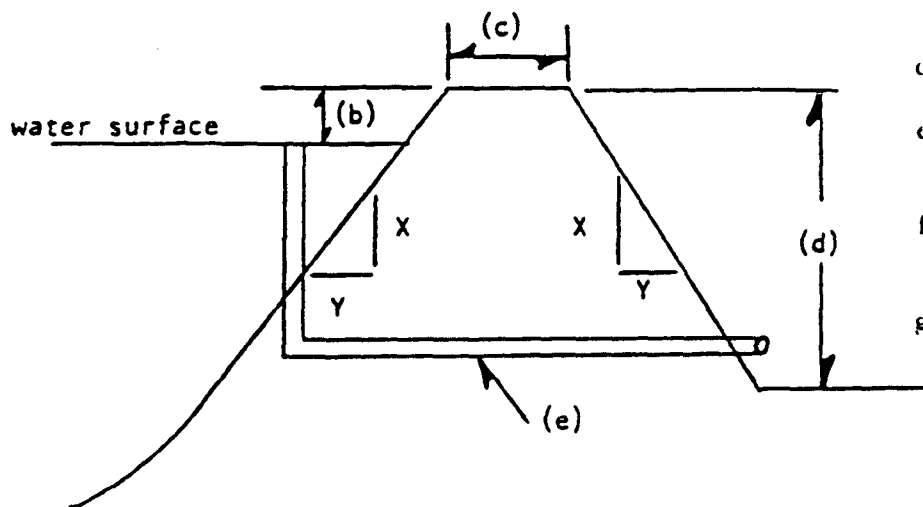
If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

-

- Crest Length _____

- Downstream _____

Drainage area above dam _____



4-87

**SOUTH DAKOTA
WATER PERMIT No. 2188-2**

Date of first receipt of application March 28, 1991.

Date of return to applicant for corrections, amendments or changes March 29, 1991.

Date of receipt of corrected application June 17, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2188-2 to Custer Lutheran Fellowship, HC 83, Box 83, Custer SD 57730 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2188-2 appropriates 3 gallons per minute (0.0067 cubic feet of water per second) from one well (Precambrian Rock Aquifer) 100 feet deep located in the SW 1/4 SW 1/4 Section 21-T3S-R5E (Lot 1 of Track A of Stockade Placer MS#725).
2. The water appropriated shall be used for the purpose of supplying water to the church and may not exceed the amount of water needed for beneficial use for institutional use.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 2188-2 is September 4, 1991.
5. The date from which applicant may claim right is June 17, 1991.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: John H. Hattis
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

FEB 26 1992

date



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 29, 1991

Custer Lutheran Fellowship
& Janet Twedt
HC 83, Box 83
Custer SD 57730

Dear Ms. Twedt:

In regard to the water permit application received March 28, 1991, the following information needs to be submitted in order to process your application.

1. On Item No. 2, please include the maximum diversion rate in gallons per minute from the well.
2. A map showing the location of the diversion point (place where the well is located) in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).
3. On Item No. 4, indicate location of the diversion point (place where the well is located) in relation to a government section corner or quarter corner by direction and distance.
4. The application needs to be signed and notarized.

Under type of application, you have checked vested right. In order to qualify for a vested right, the water has to have been used continuously prior to March 2, 1955. If the well meets the criteria for a vested right, the enclosed Affidavit of Water Use form needs to be completed, signed and notarized, also. The application fee for a vested right is \$15.00. If the application does not qualify for a vested right then the \$50.00 filing will be correct.

The water permit application can not be considered until the application is complete. Upon receipt of the above information, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Natural Resources Analyst
605 773-3352
enclosures

Conversation or File Documentation

NAME OF PERSON OR FILE: Custer Lutheran FellowshipADDRESS: HC 83, Box 83 COUNTY CusterDATE: 6/13/91 TELEPHONE _____RE: Well logs

COMMENTS:

Talked with Don Kraus. Mrs. Kraus stated the
well was dug sometime during the 1960's.
All information they have has been submitted.

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: Karen Schlaak

JUNE 13, 1991

1

KAREN SCHLANK
DEPT OF WATER & NAT RESOURCES
523 EAST CAPITOL
PIERRE, S. D. 57501



SUBJECT: CUSTER LUTHERAN FELLOWSHIP
Water Permit Application

DEAR KAREN,

ENCLOSED IS A CHECK FOR \$50 FOR THE
SUBJECT PERMIT; PLUS NOTARIZED PERMIT APPLICATION;
PLAT OF CHURCH PROPERTY SHOWING THE WELL
LOCATION; AND A QUAD MAP SHOWING THE WELL
IN RELATION TO ~~THE~~ THE SW CORNER OF SEC 21
T3S R5E BLACK HILLS MERIDIAN

IF YOU NEED ANY ADDITIONAL INFO
PLEASE CONTACT ME AT 673-4948 (WORK)
OR RR1 BOX 110, CUSTER SD 57730.

THANK YOU.

SINCERELY,
Don Haus P.E.
RR1 BOX 110
CUSTER, SD 57730

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412718

Pierre, June 18, 19 91

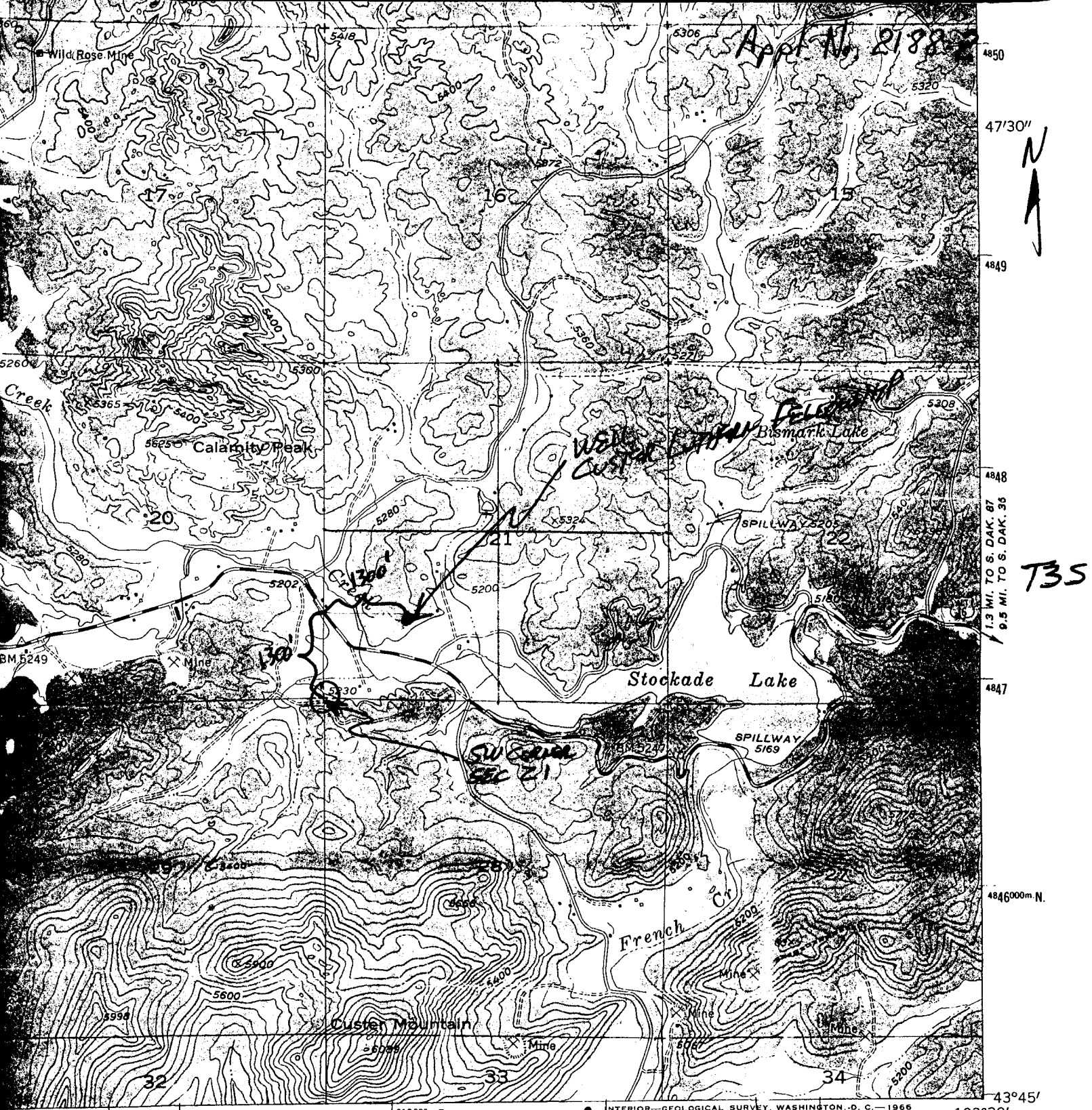
RECEIVED OF Custer Lutheran Fellowship, HCR 83, Box 83, Custer SD 57730

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

Chief Engineer

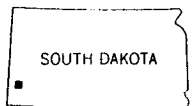


R5E

ROAD CLASSIFICATION

Heavy-duty 4 LANE 6 LANE Light-duty 4 LANE 6 LANE
 Medium-duty 4 LANE 6 LANE Unimproved dirt =====

U. S. Route State Route



QUADRANGLE LOCATION

LOCATED BY
 DON KRAUS P.E.

CERT # 2556

Don Kraus P.E.

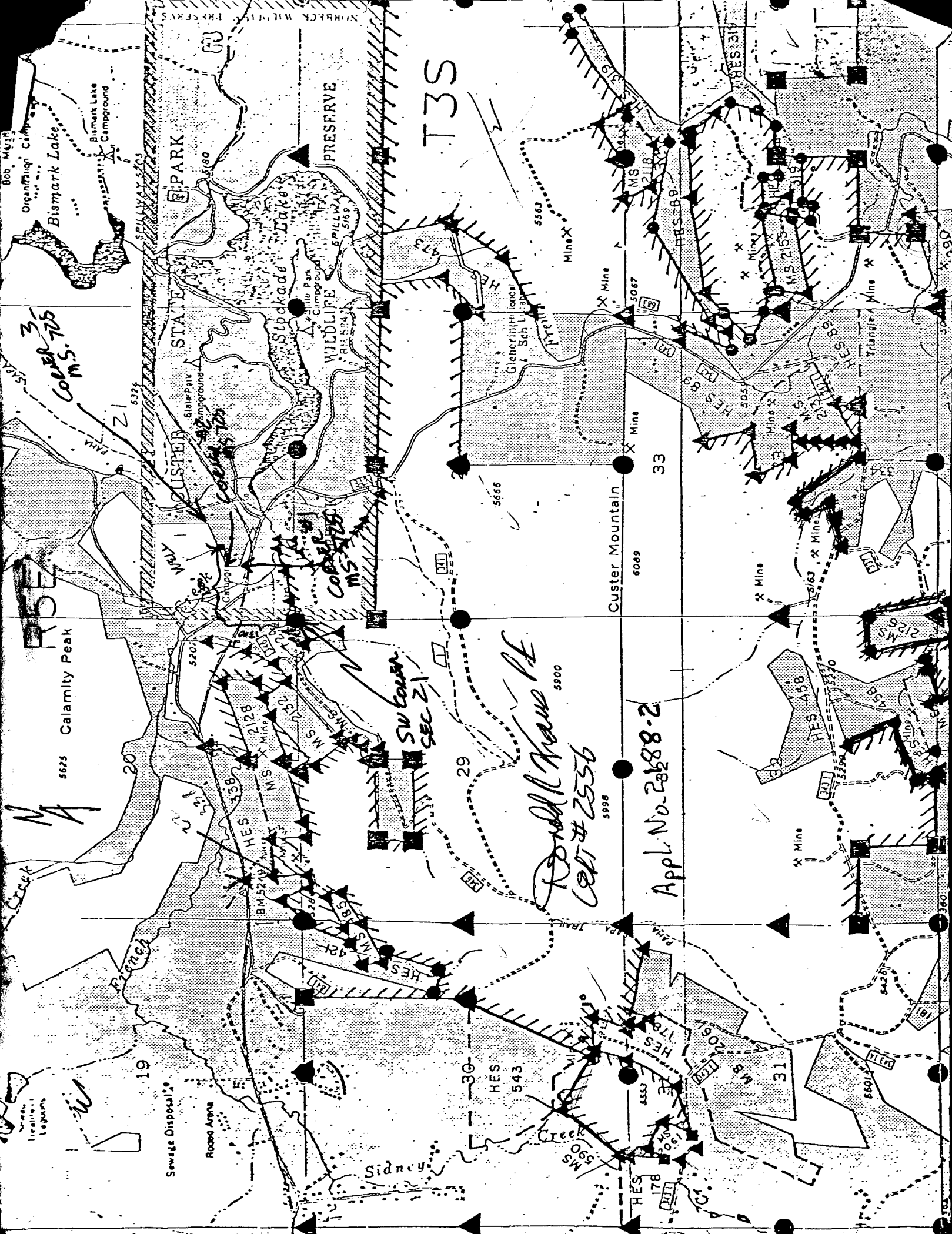
CUSTER, S. DAK.
 N4345-W10330/7.5

1954

AMS 5271 I SE-SERIES V873

ACCURACY STANDARDS
 DO 80225, OR WASHINGTON, D. C. 20242
 SOLS IS AVAILABLE ON REQUEST

B

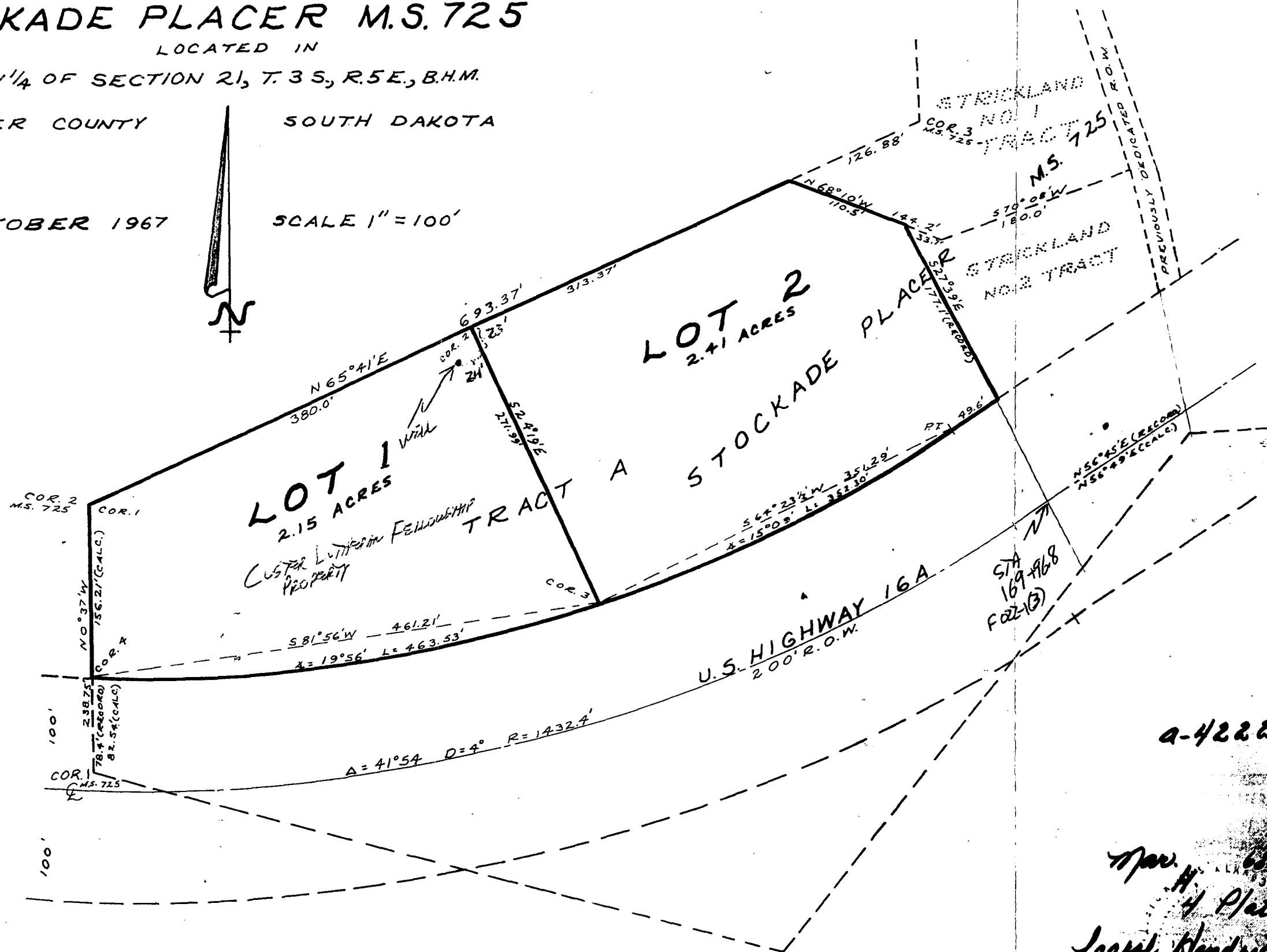


PLAT OF LOTS 1 AND 2 OF TRACT A OF STOCKADE PLACER M.S. 725

LOCATED IN
SW 1/4 OF SECTION 21, T. 3 S., R. 5 E., B.H.M.
CUSTER COUNTY SOUTH DAKOTA

OCTOBER 1967

SCALE 1" = 100'



CERTIFICATE OF OWNER

WE, GLADYS V. STRICKLAND, HERMAN C. SPILKER, CLIFFORD J. SPILKER, LESLEY BUDD GRAHAM AND BEVERLY R. JONES, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PARCELS OF LAND AS SET FORTH BELOW HEREON, THAT WE DID AUTHORIZE AND DO HEREBY APPROVE

a-42227

Map H. 1010
4 Plats
Leland Handrich

REPORT ON APPLICATION NO. 2188-2
for Custer Lutheran Fellowship
July 23, 1991

Application No. 2188-2 proposes to appropriate 0.0067 (3 gpm) from one well approximately 100 feet deep located in the SW 1/4 SW 1/4 of section 21, T3S R5E BHM in Custer County. The water is used for institutional purposes.

AQUIFER - PRECAMBRIAN ROCK (CRSL)

The Precambrian rock in this area consists of mica schist or phyllite, quartzite, amphibolite, meta-iron-formation and graphitic schist (Redden, 1975). Ground water is obtained from fractures and natural foliations within the rock. The rock is under unconfined conditions and well yields are typically low and unpredictable. Recharge to the rock is accomplished by rainfall and snowmelt percolating downward through fractures and the weathered zone at the surface. Also the perennial stream French Creek may control groundwater levels for the area acting as a recharge/discharge zone for the Precambrian rock. The amount of ground water in storage or recharge to the formation has not been quantified.

The Division of Water Rights does monitor one observation well CU-TEMP which is located approximately 3 miles west of this application. Water levels for this respond to climatic conditions, that is rising during wet years (recharge) and gradually declining during dry years.

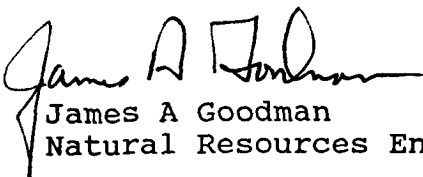
Water levels have been monitored for this well since November of 1987 and indicate that at present water levels have nearly recovered to the initial levels. Water levels had steadily declined from 48.5 to 63.3 and have recently recovered to 49.9 this summer due to recharge (Water Rights, 1991).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing permitted diversion is about 1/2 mile west of this application. Interference is not expected to be a concern. This application only requests 3 gpm and will not adversely affect the water availability from the aquifer.

CONCLUSIONS

1. Water is available from the Precambrian rock.
2. Interference is not expected to be a concern.
3. This is an existing well and was drilled in the 1960's. Information is not available to determine if this well is constructed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Redden, J.A., 1975, Precambrian Geology of the Black Hills, in SDGS Bulletin No. 16, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1991, Observation Well Records for Custer County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2188-2, Custer Lutheran Fellowship

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2188-2, Custer Lutheran Fellowship, HC 83, Box 83, Custer, SD 57730.

The Chief Engineer is recommending APPROVAL of Application No. 2188-2 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.

See report on application for additional information.


JOHN HATCH, Chief Engineer
July 26, 1991



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

GREAT FACES. GREAT PLACES.

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

July 29, 1991

Custer Lutheran Fellowship
HC 83, Box 83
Custer, SD 57730

Dear Sirs:

Water Permit Application No. 2188-2 for institutional use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Custer County Chronicle printed at Custer SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

GREAT FACES. GREAT PLACES.

July 29, 1991

Custer County Chronicle
Box 551
Custer, SD 57730

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2188-2 to be published twice. Please publish the first notice on August 7, 1991 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Custer Lutheran Fellowship, HC 83, Box 83, Custer, SD 57730.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on August 7, 1991 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2188-2 to Appropriate Water

Notice is given that the Custer Lutheran Fellowship, HC 83, Box 83, Custer, SD 57730 has filed an application for a water permit to appropriate 3 gallons per minute from one well (Precambrian Rock Aquifer) 100 feet deep located in the SW 1/4 SW 1/4 Section 21-T3S-R5E (Lot 1 of Tract A of Stockade Placer MS#725). The water is for institutional use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends Approval of Application No. 2188-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 26, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 2188-2 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for September 4, 1991, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the September 4, 1991 hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The September 4, 1991 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 26, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

) ss.

County _____)

I, Terri Tuggle

certify that the attached printed Notice was taken

from the Custer County Chronicle

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 Custer of CusterCounty of Custer and State of South Dakota;
that the said notice was published in said newspaper on the following two dates:8/7/918/14/91Terri Tuggle

(Signature)

Publisher

(Title)

8-23-91

(Date Signed)

Cost of Printing: 46.04

Notice of Hearing

on Application No. 2188-2
to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends Approval of Application No. 2188-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

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If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3, 1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02-01:01 thru 74:02-01:15.



FEB 26 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

Don Kraus
Custer Lutheran Fellowship
HC 83 Box 83
Custer, SD 57730

Dear Mr. Kraus:

Enclosed is Water Permit No. 2188-2 authorizing construction of your water diversion system and beneficial use of the water, 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,


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 1, 2001

2188-2

Custer Lutheran Fellowship
HC 83 Box 83
Custer SD 57730

Dear Sir:

On October 16, 2001 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2188-2, was completed by Donald E Stroup, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires 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 complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

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 the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
(605) 773-3352

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 416966

Pierre, November 9, 20 01

RECEIVED OF Custer Lurtherna Fellowship, HCR 83, Box 83, Custer, SD 57730
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. 2188-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By

Darland Ebele

Chief Engineer

gm

**Permit No. 2188-2
Custer County**

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

Other permit/license(s) associated with project: **None**

Contact Person & Address: **Custer Lutheran Fellowship, HC 83 Box 83, Custer, SD 57730**

Report Of Examination Of Works

On **October 16, 2001**, I made a thorough examination of the water use system authorizing the appropriation of 0.0067 cubic feet per second (cfs) of water from a well for institutional purposes at the Custer Lutheran Fellowship and bearing the priority date of June 17, 1991.

The well and distribution system are in good condition and capable of pumping water at **3 gallons per minute (gpm)** or 0.0067 cfs. The diversion point is in the **SW¼ SW¼ of Section 21 T3S R5E (N43.7707° W103.5334°)**, 1300-feet East and 1300-feet North of the Southwest Corner of the section.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by: **Yes**
- 2) All structures, wells and lands on map: **Yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period: **NA**
- 4) Exceptions to compliance are: **None**

Report On the Specifics of the System

Diversion Point Information:

- | | |
|--|--|
| 1) Well Drilling Firm: Unknown | 2) No. of Wells: 1 |
| 3) Depth(s): Approximately 100-feet | 4) Well log available: No Well drilled in the '60's |

Casing:

- 1) Diameter: **Unknown**
- 2) Length: **Unknown**
- 3) Type: **Unknown**

Screen:

- | | |
|---------------------------------------|----------------------|
| 1) Type: None | 2) Length: NA |
| 4) Static water level: Unknown | |

Pump\ Motor:

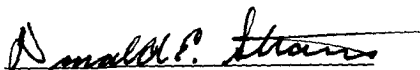
- | | |
|---|------------------------------------|
| 1) Pump Make: Unknown, Submersible, Electric | 2) Pump Model: NA |
| 3) Capacity: 3 gpm | 4) Motor Make: NA |
| 5) Motor Model No.: Unknown | 6) Horsepower rating: NA hp |

Distribution System:

- 1) Type: **Unknown**
- 2) Length: **Unknown feet**

COMMENTS:

This well should be licensed for the as built 3 gpm (0.0067cfs) diversion rate.



Donald E. Stroup

Natural Resources Project Engineer
DENR, Water Rights Program

10/25/01
Date

#2188
Custer Lutheran Fellowship
HC 83 Box 83
Custer, SD 57730

T3S R5E
Section 21

Well

1300'

1300'

Donald E. Stroup 10/25/01
Donald E. Stroup
Natural Resources Project Engineer
DENR Water Rights Program

#2188
Custer Lutheran Fellowship
HC 83 Box 83
Custer, SD 57730

T3S R5E
Section 21

Well

Donald E. Stroup 10/25/01
Donald E. Stroup
Natural Resources Project Engineer
DNR Water Rights Program

1 Miles

BM 5247

STATE OF SOUTH DAKOTA

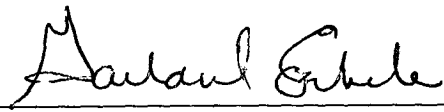
WATER LICENSE NO. 2188-2

(1) Custer Lutheran Fellowship, HC 83 Box 83, Custer SD 57730 made Application No. 2188-2, March 28, 1991 for a water permit to divert 0.0067 cubic feet of water per second from groundwater (one well), Custer County, South Dakota for institutional purposes. Permit No. 2188-2, with a priority date of June 17, 1991 was approved September 4, 1991 and issued to the applicant for diversion of water with construction of the described water supply system 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 0.006 cubic feet of water per second for beneficial use. The location of the diversion point is 1,300 feet east and 1,300 feet north of the southwest corner of Section 21-T3S-R5E (SW 1/4 SW 1/4).

(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 Custer Lutheran Fellowship, HC 83 Box 83, Custer SD 57730 the holder and/or owner of Water Right No. 2188-2 is issued a license to appropriate water, the right to use 0.0067 cubic feet of water per second from groundwater (one well) with a priority date of March 28, 1991 from the location specified in (2) of this license for institutional purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2188-2 and subject to South Dakota State Law.


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

DEC 07 2001

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 07 2001

2188-2

Custer Lutheran Fellowship
HC 83 Box 83
Custer, SD 57730

Dear Sir:

Enclosed is Water License No. 2188-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416966 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. 2188-2, 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

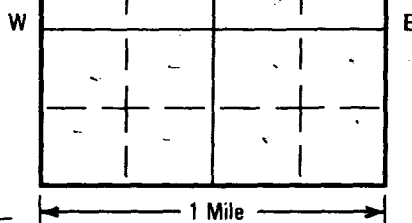
Lot 1 of Tract A of Spelade Placer MS 725 SOUTH DAKOTA WATER WELL COMPLETION REPORT

2188-2

07-92

Location: 1/4 SW 1/4 Sec 21 Twp 35 Rg 5E
County: Custer

Please mark well location with an 'X'



Well Completion Date

6/11/03

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? _____ ft. from septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary Downhole Hammer

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe: 40' - 6" - 160 PVC

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type: Portland II No. of Sacks: 4 Grout Weight: 15 lb./gal From: 6 ft To: 38 ft

Describe grouting procedure: 6" trim pipe

SCREEN: ☐ Perforated pipe ☐ Manufactured None

Diameter: _____ IN Length: _____ FEET

Material: _____

Slot Size: _____ Set From: _____ Feet to: _____ Feet

Other information: open hole

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? Casing set in hard rock

DISINFECTION: Was well disinfected upon completion? Chlorine solution

☒ YES, How: _____

☐ NO, Why Not? _____

Laboratory sent to for water quality analysis

Well Owner: Custer Lutheran Fellowship

Business Name: _____

Address: HCR 83 Box 83
Custer SD 57730

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Drift	0	10
Hd mixed Schist + pegmatite	10	90
Pegmatite fract. 2 gpm	90	91
Hd mixed Schist + pegmatite	91	170
Pegmatite fract. 1 gpm	170	172
Hd mixed Schist + pegmatite	172	232
Pegmatite fract. - 10 gpm	232	234
Hd mixed Schist + pegmatite	234	280

STATIC WATER LEVEL 30' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped w/air Describe: 280' - 10 gpm

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

AUG 12 2003

This well was drilled under license # 324 WATER RIGHTS PROGRAM

And this report is true and accurate.

Drilling firm: Alexander Drilling Co Inc

Signature of License Representative: Law Lowell

Signature of Well Owner or Equitable Property Holder: Custer Lutheran Fellowship & Charles Bliss

Date: _____

8-18-03