

Considered: _____

WATER PERMIT NO. 2190-2

Phone: 605-745-4529

Name of Applicant: Church of Jesus Church of LDS - Hot Springs

Post Office Address: PO Box 742, Hot Springs SD 57747

Amount of Water Claimed: 40 gpm (0.088 cfs) Total Acres: 1.5

Source of Water Supply: groundwater

Water to be used for: irrigation County: Fall River

About _____ miles _____ of in Hot Springs

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 12-11-90 Fee: \$50 Remarks _____

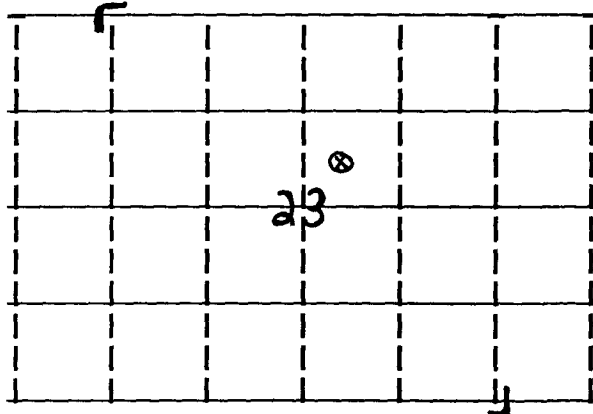
Corrected Application Received 3-26-91 Period of Annual Use May 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED 7-24-91 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: SW 1/4 NE 1/4 Sec 23-T7S-R5E

Land to be Irrigated: SW 1/4 NE 1/4 Sec 23-T7S-R5E



Well Log: Driller: Lewis Drilling Licensed YES X NO _____

Depth of Well: 220 REMARKS _____

Type of Map: plat PREPARED BY: Charles R Williamson Reviewed and the Number

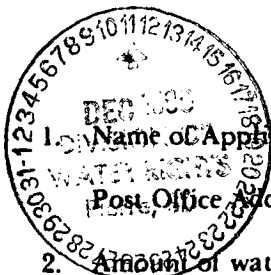
Assigned on 7-29-91 By Karen Schlaak

(See instructions)

No. 2190-2 Hydrologic Unit 10120109
Basin Upper Cheyenne
Newspaper Hot Springs Star, Box 1000 (Tues)

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____



- Name of Applicant Church of Jesus Christ of LDS - Hot Springs Phone No. 605/745-4529
- Post Office Address P.O. Box 742 HOTSPRINGS State SD Zip Code 57747
(Street, RR or Box) (City)
- Amount of water claimed (c.f.s) 40 GPM 0.088 Total acres irrigated est 1.5
- Source of Water supply Well
- Location of point of diversion Well on church property at Baltimore and S 21st
with legal description of SE 1/4 SW 1/4 Sec 10 T6N R5E within the
city of Hot Springs SW 1/4 NE 1/4 Sec 23-T7S-R5E County FALL RIVER
- Counties where water will be used FALL RIVER
- Annual period during which water is to be used May 1 to Oct 31
- 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.
<u>SW 1/4 NE 1/4 Sec 23-T7S-R5E</u>	<u>1.5</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

- Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify)
- Crops to be Irrigated: _____
- Give a description of proposed project. (Attach sheet if more-space is needed)

Well head feeds lawn sprinkler system through controls in chapel structure. No other use.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Pennington)^{SS}

I, BRIANT L. DAVIS, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Briant L. Davis

Subscribed and sworn to before me this 6th day of December 19 90

Sandra R. Arsch
Notary Public

Commission expires 7/24/97

**SOUTH DAKOTA
WATER PERMIT No. 2190-2 FOR IRRIGATION**

Date of first receipt of application December 11, 1990.
Date Soil/Water Compatibility Permit received July 24, 1991.
Date of return to applicant for corrections, amendments or changes
December 20, 1990.
Date of receipt of corrected application March 25, 1991.

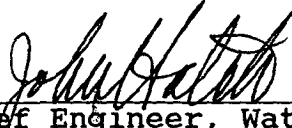
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2190-2 to Church of Jesus Christ of LDS - Hot Springs, PO Box 742, Hot Springs SD 57747 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2190-2 appropriates 40 gallons per minute (0.088 cubic feet of water per second) from one well (Minnekahta Limestone Formation) 220 feet deep located in the SW 1/4 NE 1/4 Section 23; to irrigate 1.5 acres located in the SW 1/4 NE 1/4 Section 23; all in T7S-R5E.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - October 31.
3. The date from which applicant may claim right is July 24, 1991.
4. The date of approval of Permit No. 2190-2 is October 15, 1991.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. 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.
2. Approval of Permit No. 2190-2 limits the diversion rate from the well for irrigation to 0.02 cfs (9.6 gpm) unless the number of hours of irrigation per day is reduced to a corresponding equivalent time period and the total amount of water applied does not exceed 24 inches per year. At a pumping rate of 0.09 cfs (40 gpm), the pumping time may not exceed 5.7 hours per day.

WATER MANAGEMENT BOARD

By: 
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

FEB 20 1992
date

Supplemental Information

(type or print in ink)

(Completed)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 6-in + Depth 220 Ft.
- b) Casing Type Steel Diameter 6-in Thickness _____
- c) Screen Type _____ Diameter 6-in Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 220 ft.
- f) Depth to Water (ground surface to water level) 80-ft
- g) Distance to nearest existing domestic well:
- On applicants property N/A On property owned by others Unknown

2. Dugout Information Estimates

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

3. Water Storage Dams

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.

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

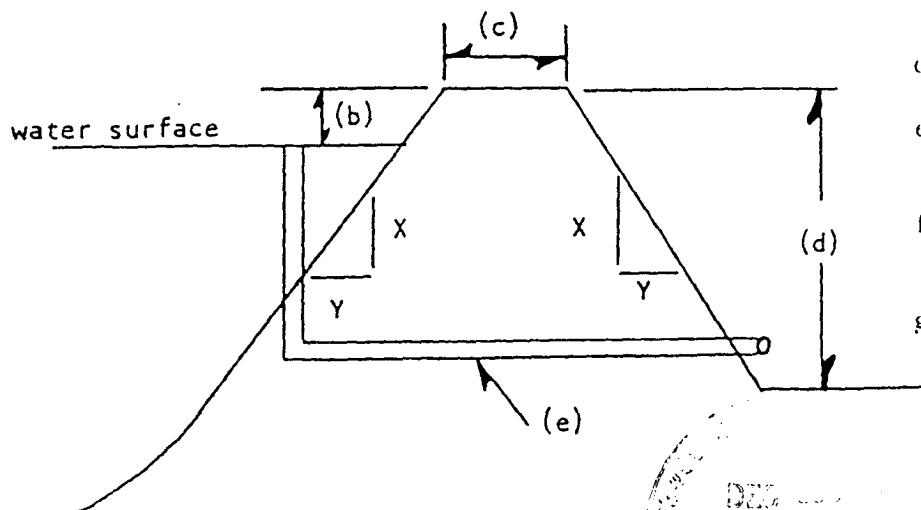
g) X & Y Slope
Upstream _____

Downstream _____

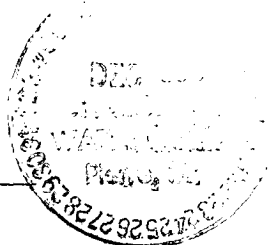
Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____

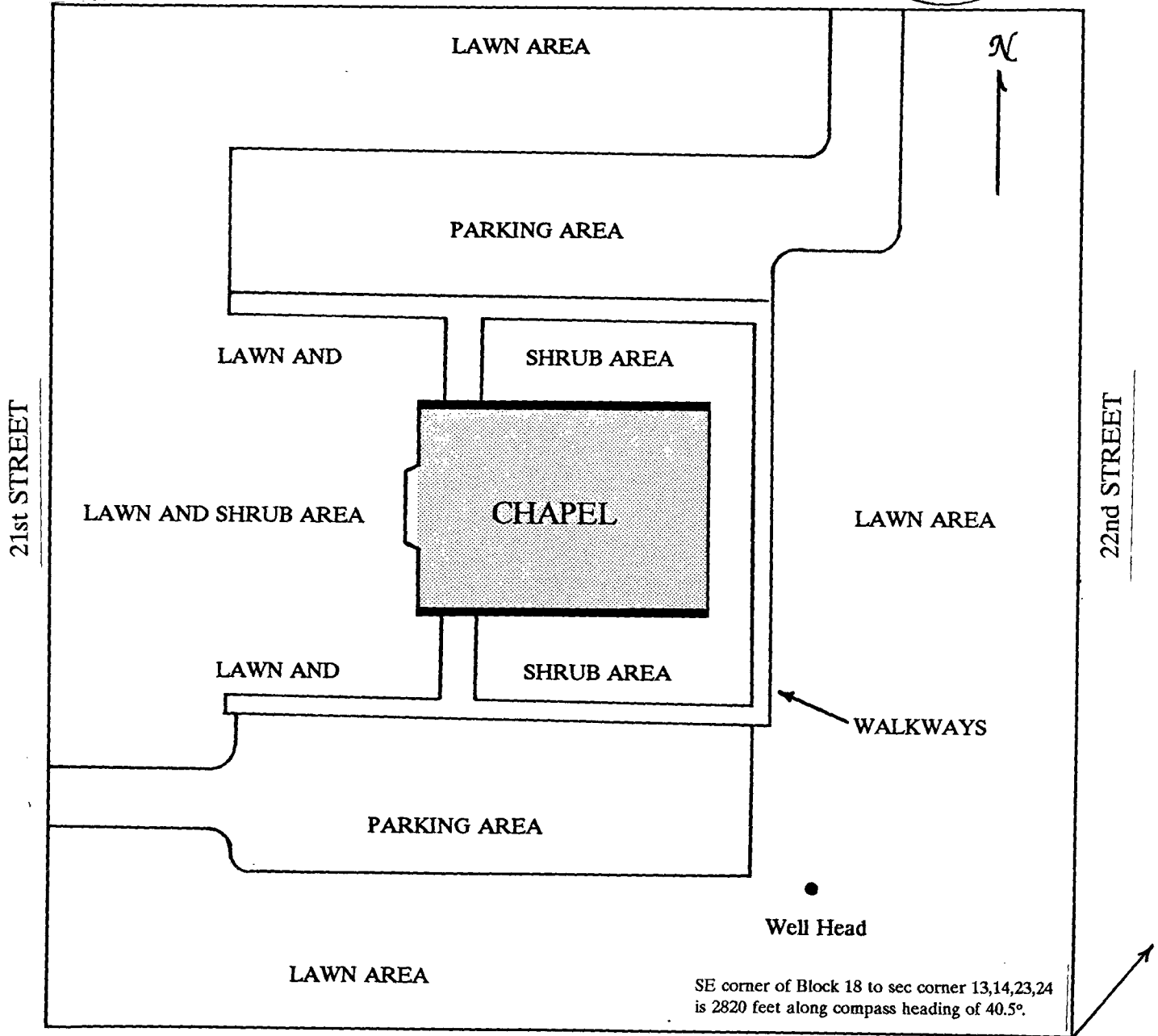


Signature of Applicant _____



HOT SPRINGS BRANCH PROPERTY
City Block No. 18

ALBANY AVENUE



BALTIMORE AVENUE

Charles R. Williamson
Charles R. Williamson
Chief Surveyor, Rapid City Area
SD Dept Transportation

3/24/91
Date

0 50 100
Scale, Feet

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4628

WR#

OWNERS NAME: CHURCH OF JESUS CHRIST OF LDS OWNERS ADDRESS: PO BOX 742
HOT SPRINGS, SD 57747

COUNTY LAND LOCATED IN: FALL RIVER PHONE: 745-4529

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION SW $\frac{1}{4}$ NE $\frac{1}{4}$ 23-T7S-R5E

Depth _____

Legal Description	Acres	Legal Description	Acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 23-T7S-R5E	1.5		



2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: (Specify) SPRINKLER

3. CROPS TO BE IRRIGATED: GRASS

WATER QUALITY:	
4. WATER SAMPLE NUMBER: <u>91-0249</u>	7. ADJUSTED (SAR): <u>2.79</u>
5. SALINITY (EC X 10 ⁶): <u>850</u>	8. PERCENT SODIUM: <u>26.42</u>
6. SODIUM (SAR): <u>1.28</u>	

Requirements:

MAXIMUM ALLOWABLE LIMITS OF SALT AND SODIUM BUILDUP IN THE PROFILE AT THE ROOT ZONE (UPPER 12 INCHES OF THE SOIL PROFILE) AT THE BEGINNING OF THE GROWING SEASON APPLY. THEY BECOME APPLICABLE UPON THE ISSUING OF A SOIL-WATER COMPATIBILITY PERMIT BY THE DIVISION, OR THE COMMISSION.

[Signature]

Director, Division of Conservation

JULY 15, 1991

Date

XXX APPROVED

 DISAPPROVED

 WAIVER

XXX REQUIREMENTS

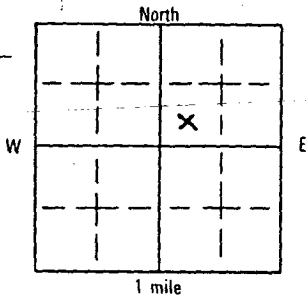
Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SW 1/4 NE 1/4 Sec 23 Twp 7S Rg 5E

County

Fall River

Please mark well location with an "X"

Well Owner

The Church of Jesus Christ of Latter Day SaintsAddress 309 E. Canton Hot Springs, SD 57747

Well Log

Depth

Formation

From

To

<u>Spearfish fm.</u>	<u>0</u>	<u>194</u>
<u>gyp</u>	<u>12</u>	<u>16</u>
<u>"</u>	<u>18</u>	<u>21</u>
<u>"</u>	<u>35</u>	<u>37</u>
<u>Minnehata Lm.</u>	<u>194</u>	<u>220</u>

Well Completion Date April 8, 1986

PROPOSED USE:

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

Method of Drilling:

Air Rotary

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER

15 1/2 LB/FT 5 1/2 IN 0 FT 197 FT 6 1/4 IN

_____ LB/FT _____ IN _____ FT _____ FT _____ IN

_____ LB/FT _____ IN _____ FT _____ FT _____ IN

_____ LB/FT _____ IN _____ FT _____ FT _____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 197 FEETWhat is grouting material? Cement

If cement, number of sacks? _____

Describe grouting procedure pressure grouted from bottom to topWhat was grout weight? 15 LB/GALSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain chlorine tabs placed in wellBacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

RECEIVED

APR 21 1986

North America N.W.

STATIC WATER LEVEL 80' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumpedair developed☐ Bailed

Describe: _____

☒ Other

Pumping Level Below Land Surface

220 ft. After 2 Hrs. pumped 100 GPM120 ft. After 2 Hrs. pumped 60 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

Well is going to be used to water lawn.This well was drilled under license # 331

And this report is true and accurate.

Drilling firm TAYLOR DRILLING COMPANY

Signature of License Representative:

Ralph Taylor Jr.

Signature of Well Owner:

President Polina Gellib

Date

MAY 7, 1986

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, December 13, 1, 1990

RECEIVED OF Church of Jesus Christ of Latter Day Saints, Box 742, Hot Springs SD 57747
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>2190-2</u> 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

[Signature]
Chief Engineer

HENGEL ASSOCIATES, P.C. ARCHITECTS — ENGINEERS

115 St. Joseph Street, Rapid City, South Dakota 57701
605-343-8432



June 5, 1986

Water Rights Division
Joe Foss Building
523 E. Capitol
Pierre 57501

Dear Sir:

Enclosed are two copies of the South Dakota Water Well Completion Report for a well drilled by Taylor Drilling Company for The Church of Jesus Christ of Latter Day Saints in Hot Springs, South Dakota. The two copies are for your files. If you need the original signed copy of the report, please contact me and we will forward it on to you.

Sincerely yours,

A handwritten signature in cursive script that reads "Leslie A. Olive".

Leslie Olive
lao/enclosure

SOUTH Dakota Department of
Water & Natural Resources

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

*11. Aug
minutes
11.1.1*

June 9, 1986

Church of Latter Day Saints 745-6119
309 E. Canton
Hot Springs, South Dakota 57747

Dear Sir:

A well drillers report filed with this office by Taylor Drilling indicates you have recently completed a new well. The well driller is required by South Dakota Compiled Laws (SDCL 46-6-11) to file a well construction report within 30 days of completion. The purpose of this letter is to provide general information and to inform you, the well owner, of the responsibilities you have incurred.

1. If your new well was drilled as a replacement well and if you do not plan to use the old well, the old well is considered abandoned and must be plugged pursuant to SDCL 46-6-27. Other abandoned wells must also be plugged.
2. If the old well is not to be abandoned, or will be used, the well must still be sealed or capped at the surface pursuant to SDCL 46-6-27.

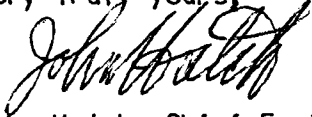
General Information. The following is being provided to all new well owners for information purposes and may not apply to you.

1. If a well will be allowed to flow or will be pumped more than 18 gallons per minute (gpm) or if a person intends to use more than 18 gpm or more than 26,000 gallons per day (average of 18 gpm) for domestic use, a water permit is required pursuant to SDCL 46-1-6(4) and (6), 46-1-15, 46-5-8 and Water Management Board Rules 74:02:01:01(1) and 74:02:01:03. A pump larger than 18 gpm may be used as long as the total daily domestic use does not exceed 26,000 gallons per day (gpd). Water for geothermal heating and/or cooling for a home is domestic use, and may be used without a water permit, if the use is no more than 18 gpm.
2. State laws require all flowing wells to be controlled to prevent waste. No matter what the flow of the well, the well must be controlled to produce only the amount of water needed. This is a continuing responsibility of the well owner pursuant to SDCL 46-6-10, 46-6-14 and 46-6-21.
3. Any common distribution system such as a city, town, subdivision or rural water system that pumps or diverts more than 18 gpm is required by SDCL 46-5-8.2 to have a water permit.

4. A water permit is required pursuant to SDCL 46-1-15 to use water for commercial business operations, industrial purposes, mining or irrigation of more than 1/2 acre.

~~Please feel free to contact us if you have questions, need information or water permit application forms.~~

Very truly yours,



John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

cc: Well Driller

S514.wr



Department of Water & Natural Resources

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

November 6, 1990

CHURCH OF LATTER DAY SAINTS
309 E. CANTON
HOT SPRINGS SD 57747

Dear SIR :

A well drillers report filed with this office by TAYLOR DRILLING COMPANY indicates you have completed a new well. The well driller is required by South Dakota Codified Laws (SDCL 46-6-11) to file a well construction report.

The purpose of the enclosed "Summary of South Dakota Water Law and Water Right Information" is to provide general information regarding what types of water use in South Dakota require obtaining a permit to appropriate water. Based on the type of water use specified on the well driller's report, you probably need a water permit.

I am enclosing application forms and an instruction sheet for preparing a water permit application. The completed application can be submitted with the required fee to the "Water Rights Division, Joe Foss Building, 523 E. Capitol, Pierre, SD 57501". Please respond by 12/7/90.

If you have questions or need assistance contact Regan Fanning, Natural Resource Analyst (605-773-3352).

Very truly yours,

Ron Duvall
Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

enclosure

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY
SAINTS

RAPID CITY SOUTH DAKOTA STAKE

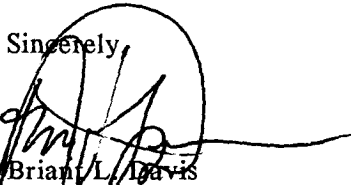
Dec. 9, 1990

Ms. Regan Fanning
Water Rights Division
Department of Water and Natural Resources
523 East Capitol
Pierre, SD 57501

Dear Ms. Fanning:

Thank you for sending us the Drilling Company report on the Hot Springs Branch (Church of Jesus Christ of Latter-Day Saints) well used for sprinkling irrigation. Thank you also for allowing us a few more days past the due date to file this application. Enclosed are the duplicate copies of the Application and Supplemental Information, along with the \$50 application fee. Please call me at 605/394-2493 or 2496 if you have questions. Please send the invoice for newspaper notice of the application to my address below.

Sincerely,



Brian L. Davis
Stake Physical Facilities Representative
4022 Helen Court
Rapid City, SD 57702

cc: President Lonnie Dunn
Hot Springs Branch





DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 20, 1990

Briant L. Davis
Stake Physical Facilities Rep.
4022 Helen Court
Rapid City SD 57702

Dear Mr. Davis:

In regard to the water permit application received on December 11, 1990, for the Church of Jesus Christ of LDS, the following information needs to be submitted to process your application.

- 1) A map outlining the lands to be irrigated and 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: Register 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).
- 2) A water sample must be submitted to the Water Quality Laboratory (see item Nos. 4 & 5 of attached instruction sheet).
- 3) On Item No. 7 of the application, we presume the land you will be irrigating is located in the SE 1/4 SW 1/4 Section 10-T6S-R5E which is the same location as the well. Please let us know if you concur with this addition to your application.

The water permit application can not be considered until the application is complete and a soil/water compatibility permit is obtained from the Department of Agriculture. Upon receipt of the above, further processing of the application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY
SAINTS

RAPID CITY SOUTH DAKOTA STAKE

Jan 10, 1991

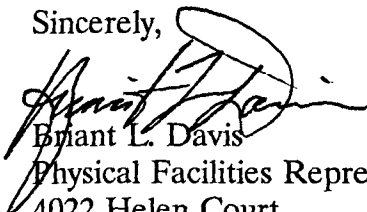
Ms. Karen Schlaak
Natural Resources Analyst
Department of Water and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Dear Ms. Schlaak:

We are attempting to provide the map and water sample requested in your letter of Dec. 20, 1990 that will complete the water use application for the Hot Springs Branch of our Church. However, the mechanical arrangement for this well is that water is directly and solely pumped through the outside sprinkler system by means of an inside pump control. This system has been cleared for the winter months and operating it again now will require that we hire the installing company to again blow out the lines. Rather than go to this trouble and expense would it be possible to extend the time allowed for us to complete the permit application until about June 1 so that we can obtain a proper sample without risk to the system? We can provide the map sometime within the next few weeks, however.

Please let me know if this extension is approved.

Sincerely,


Bryant L. Davis
Physical Facilities Representative
4022 Helen Court
Rapid City, SD 57702
342-4320

cc: President Lonnie Dunn





DEPARTMENT OF WATER & NATURAL RESOURCES

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

January 15, 1991

Briant L. Davis
Stake Physical Facilities Rep.
4022 Helen Court
Rapid City SD 57702

Dear Mr. Davis:

Regarding your letter dated January 10, 1991, please submit the map when it is available to you. Also, be sure to include if you concur that the land you will be irrigating is located in the SE 1/4 SW 1/4 Section 10-T6S-R5E which is the same location as the well. We will then make this addition to the application.

Please submit the water sample as soon as it is feasible for you to do so. As stated in our December 20, 1990 letter, the application can not be considered until the application is complete and a soil/water compatibility permit is obtained from the Department of Agriculture.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY
SAINTS

RAPID CITY SOUTH DAKOTA STAKE

Jan. 20, 1991

Ms. Karen Schlaak
Natural Resources Analyst
S.D. Department of Water and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

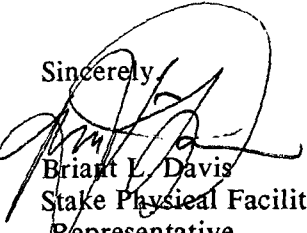
Dear Ms. Schlaak:

After reviewing your letter of Jan. 15 concerning our water permit application and map, I realized that there is some confusion concerning the legal description of the property. Early in Dec. I requested by phone from Ms. Regan Fanning a copy of the drilling report for the well located on the LDS Church property in Hot Springs. What I received, I now find, was the drilling report for our property in Sturgis, Meade County. It was from this that I took the legal description for the water permit application dated 12/6/90. I did not notice the notation "Meade County" in the drillers report and that it was from Lewis Drilling Co.

From a forest service map available to me I can estimate the approximate legal description as SW 1/4 Sec. 23 of T7S R5E within the city of Hot Springs. The property consists of one city block bounded by Albany Ave. on the North, Baltimore Ave. on the south, 21st street on the east and 22nd street on the west. The well is located on the SE corner of this block, approximately 25 feet from the Baltimore curb and 35 feet from the 21st street curb. The well is solely for growing season lawn sprinkling of about 1.5 acres of the property.

It was the TAYLOR Drilling Co. who filed the report on this well, according to the letter of 11/6/90 I received from Ron Duvall of your office. If you could send me a copy of that drilling report it would be helpful to us. Also please note the corrected legal description on our water permit application of 12/6/90 previously submitted.

Sincerely,


Brian L. Davis
Stake Physical Facilities
Representative
4022 Helen Court
Rapid City, SD 57702
605/394-2496





DEPARTMENT OF WATER & NATURAL RESOURCES

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

January 23, 1991

Briant L. Davis
Stake Physical Facilities Rep.
4022 Helen Court
Rapid City SD 57702

Dear Mr. Davis:

Regarding your letter dated January 20, 1991, enclosed is a copy of your Application for Permit with the corrected legal description of the point of diversion. Please complete Item No. 7, listing the land description and number of acres you will be irrigating also. Return this copy of the application and let us know if you concur with the change. Hopefully, this will clear up the confusion.

As stated in previous letters, this application can not be considered until the corrected application, signed map and the soil/water compatibility permit are received.

Enclosed is a copy of the Well Completion Report for the well drilled by Taylor Drilling Company located in Fall River County. It appears that a Application for Permit may also be necessary for the well drilled by Lewis Drilling in Meade County. Enclosed are application forms and instructions for that purpose.

If you have any questions, please contact this office.

Sincerely,

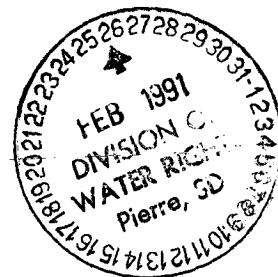
Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosures

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY
SAINTS

RAPID CITY SOUTH DAKOTA STAKE



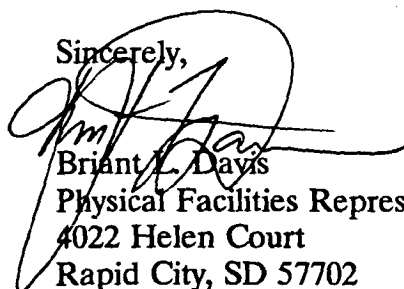
Feb. 16, 1991

Register of Deeds
County Courthouse
Fall River County
Hot Springs, SD 57747

Dear Sir:

I would appreciate some information concerning the location of lot 18 of Stewart's addition of Hot Springs. This block is now owned by the LDS Church with a chapel now in use. The State Department of Water and Natural Resources has required that the Church obtain a water-use permit for a well currently used for lawn irrigation. It is necessary that the lot be tied to a section or quarter-section post. A distance and direction to the nearest quarter section, center section, or section marker should be obtainable from your city plat records or other survey records. If you could supply this information I would be grateful. We will gladly provide any costs necessary for this service.

Sincerely,



Briant L. Davis
Physical Facilities Representative
4022 Helen Court
Rapid City, SD 57702
Phones: work - 394-2493, 2496
home - 342-4320

I am sorry we do not have any survey records reorded here. I am not sure if you would have to contact the assessor or City Hall, or if you would have to have a new survey drawn up, or there is a surveyor here in town. I just have nothing like that. We have plats, but if they show a corner record, I do not know. And who do they think should issue a water use permit?? I am sorry I am not a lot of help here, but we just do not have this information.

Thank you,
Anita Cope
Register of Deeds
Fall River-Shannon Counties

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY
SAINTS

RAPID CITY SOUTH DAKOTA STAKE

Feb. 24, 1991



Ms. Karen Schlaak
Natural Resources Analyst
Department of Water and
Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Dear Ms. Schlaak:

I have now pursued every possible source of information regarding location of a section corner or quarter-section corner tie-in with Block 18 of the City of Hot Springs, Fall River County. Your office states that such a tie-in to our well on the LDS church property is necessary in order to complete a water use application. Our church leaders, or myself have contacted the following offices:

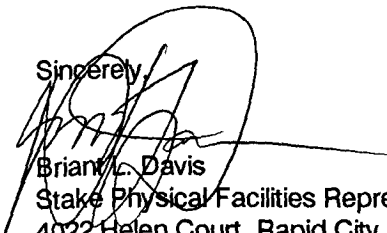
1. Hengel Associates, architect for lawn sprinkling system
2. LDS Church Real Estate Office
3. City of Hot Springs
4. Fall River/Shannon County Register of Deeds
5. Well Drilling Company (Taylor)

None of these offices have a record of such survey information. It is amazing to me that neither the City of Hot Springs, nor Fall River County, has survey data tying the city plat blocks with section posts in the Township/Range network. I am enclosing a copy of their reply for your information. Can you check this out for me through State survey offices, or provide me with the name of a person to contact in that office?

Since it is established that our Hot Springs Branch of the LDS Church owns block 18 and the well is accurately located within that block, why would the section corner survey be necessary? I am also enclosing a copy of a map I have prepared as you have requested, although it is as yet unsigned by Mr. Williamson (SDOT surveyor), pending resolution of this matter.

Please inform me of the next step to take here. I would hope that a new survey would not be necessary, but we will take whatever measures are required to obtain the water use permit.

Sincerely,


Brian C. Davis
Stake Physical Facilities Representative
4022 Helen Court, Rapid City, SD 57702
605/342-4320

cc: President Lonnie Dunn
Hot Springs Branch

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY
SAINTS



RAPID CITY SOUTH DAKOTA STAKE

March 24, 1991

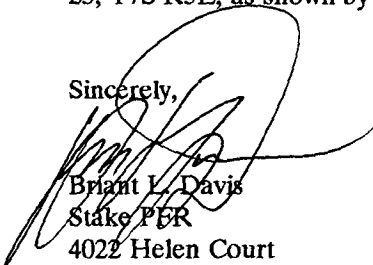
Ms. Karen Schlaak
Natural Resources Analyst
SD Department of Water and
Natural Resources
Joe Foss Building
Pierre, SD 57501-3181

Dear Ms. Schlaak:

Enclosed is the completed and corrected water permit application along with a map of the property with location of well and distance/bearing of well head from the nearest section corner as determined from a Soil Conservation Service map. The map is signed by Mr. Charles R. Williamson, surveyor, for the State Department of Transportation. The fee for the permit was paid earlier.

It is still early to activate the well in order to obtain the water sample. This will be done as soon as practicable in terms of avoiding freezing damage to the system. Finally, the legal description is SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 23, T7S R5E, as shown by the enclosed SCS map provided to us.

Sincerely,



Briant L. Davis
Stake PER
4022 Helen Court
Rapid City, SD 57702

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY
SAINTS



RAPID CITY SOUTH DAKOTA STAKE

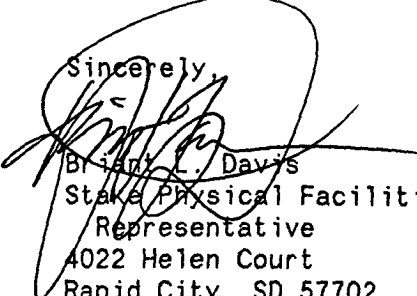
Sept. 1, 1991

Hot Springs Star
107 North Chicago
Hot Springs, SD
57747

Gentlemen:

I have received information that the Star has now received the Notice of Hearing relative to the water permit sought by the Church of Jesus Christ of Latter-Day Saints for their lawn use at 2133 Albany St. Please proceed to publish this notice as soon as possible and send the invoice for payment to me at the address below. If you require further information, please contact me.

Sincerely,


Brian L. Davis
Stake Physical Facilities
Representative
4022 Helen Court
Rapid City, SD 57702
(Ph. 605/394-2496)

cc: Mr. Eric Gronlund, DENR
President Lonnie Dunn,
Hot Springs Branch

REPORT ON APPLICATION NO. 2190-2
for Church of Jesus
August 21, 1991

Application No. 2190-2 proposes to appropriate 40 gpm (0.089 cfs) from one well 220 feet deep located in the SW 1/4 NE 1/4 of section 23; to irrigate 1.5 acres located in the SW 1/4 NE 1/4 of section 23; all in T7S R5E in Fall River County.

AQUIFER - MINNEKAHTA LIMESTONE (MNKT)

The Minnekahta is grayish-pink, laminated, locally dolomitic, limestone which is approximately 50 feet thick in this area (Wolcott, 1967). The Minnekahta underlies 1.09 million acres and contains an estimated 2.732 million acre feet of recoverable water in Fall River County (Allen, 1984). The Minnekahta is under artesian conditions at this site. According to the driller's log submitted with this application the Minnekahta was encountered at a depth from 194 to 220 feet below land surface and a static water level of 80 feet below land surface was observed. The report also indicates that the well was capable of producing 100 gpm using air to develop. The well was completed in accordance with SD Well Construction Standards.

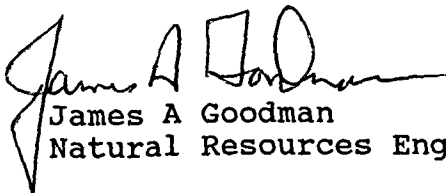
The Division of Water Rights does not monitor any observation wells completed into the Minnekahta Limestone in this area and very little is known about the historical water levels for this area.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing water permit No. 1835-2 issued to Hot Springs School District for irrigation of 10 acres and for 0.14 cfs from a Minnekahta well. The well for this application is approximately 1/4 mile west of the existing permit. Interference is not expected to be a problem. Both of these are capable of diverting the requested amount of water and the distance between the diversions should be sufficient to minimize any potential affects caused by drawdown.

CONCLUSIONS

1. Water is available from the Minnekahta Limestone.
2. The aquifer is under confined (artesian) conditions and drawdown caused by pumping is expected; however, this is not expected to adversely affect the water availability from the aquifer. The diversion rates are relatively small and the distance between diversions is sufficient to minimize any potential affects.
3. This well has been constructed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Allen, J.C., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of SD, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Wolcott, D.E., 1967, Geology of the Hot Springs Quadrangle Fall River and Custer Counties, SD, USGS Bulletin 1063-K, Washington, DC.

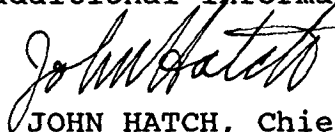
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2190-2, Church of Jesus Christ of LDS

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. 2190-2, Church of Jesus Christ of LDS, PO Box 742, Hot Springs, SD 57747.

The Chief Engineer is recommending APPROVAL of Application No. 2190-2 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:

1. 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.
2. Approval of Permit No. 2190-2 limits the diversion rate from the well for irrigation to 0.02 cfs (9.6 gpm) unless the number of hours of irrigation per day is reduced to a corresponding equivalent time period and the total amount of water applied does not exceed 24 inches per year. At a pumping rate of 0.09 cfs (40 gpm), the pumping time may not exceed 5.7 hours per day.

See report on application for additional information.



JOHN HATCH, Chief Engineer
August 28, 1991



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

August 29, 1991

Briant L. Davis
Stake Physical Facilities Rep.
Church of Jesus Christ of LDS
4022 Helen Court
Rapid City, SD 57702

Dear Mr. Davis:

Water Permit Application No. 2190-2 for irrigation 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 Hot Springs Star printed at Hot Springs, 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.

cc: Church of Jesus Christ of LDS



August 29, 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Hot Springs Star
Box 1000
Hot Springs, SD 57747

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2190-2 to be published twice. Please publish the first notice on September 3, 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 the Church of Jesus Christ of LDS, c/o Briant L. Davis, Stake Physical Facilities Rep., 4022 Helen Court, Rapid City, SD 57702.

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
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



September 5, 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Hot Springs Star
Box 1000
Hot Springs, SD 57747

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2190-2 to be published twice. Please publish the first notice on September 17, 1991, with the second publication 7 days later.

On September 1, 1991, your paper received a letter from the Church verifying publication of this notice. Please BILL the Church of Jesus Christ of LDS, c/o Briant L. Davis, Stake Physical 4022 Helen Court, Rapid City, SD 57702 for the cost of publication.

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
Natural Resources Engineer
605 773-3352

cc: Church of Jesus Christ of Latter-Day Saints

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 September 17, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2190-2 to Appropriate Water

Notice is given that the Church of Jesus Christ of LDS - Hot Springs, PO Box 742, Hot Springs, SD 57747 has filed an application for a water permit to appropriate 40 gallons per minute from one well (Minnekahta Limestone Formation) 220 feet deep located in the SW 1/4 NE 1/4 Section 23; to irrigate 1.5 acres located in the SW 1/4 NE 1/4 Section 23; all in T7S-R5E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2190-2 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 October 4, 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. 2190-2 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for October 15, 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 October 15, 1991, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board 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 October 15, 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 October 4, 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 Fall River)



I, Christopher N. Spencer

certify that the attached printed Notice was taken
 from the Hot Springs Star

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 of Hot Springs

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

September 17, 1991

September 24, 1991

Christopher N. Spencer
 (Signature)

Publisher
 (Title)

September 24, 1991
 (Date Signed)

Cost of Printing: \$51.97

245

NOTICE OF HEARING on Application No. 2190-2 to Appropriate Water

Notice is given that the Church of Jesus Christ of LDS - Hot Springs, PO Box 742, Hot Springs, SD 57747 has filed an application for a water permit to appropriate 40 gallons per minute from one well (Minnekahta Limestone Formation) 220 feet deep located in the SW 1/4 NE 1/4 Section 23; to irrigate 1.5 acres located in the SW 1/4 NE 1/4 Section 23; all in T7S-R5E.

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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.

Sept. 17, 24



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 20 1992

Briant L. Davis
Stake Physical Facilities Rep.
Church of Jesus Christ of LDS
4022 Helen Court
Rapid City, SD 57702

Dear Mr. Davis:

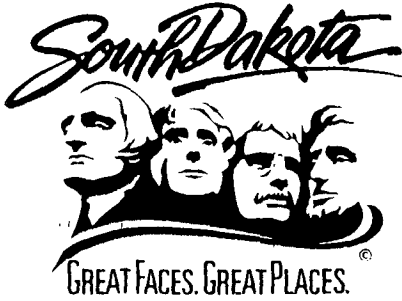
Enclosed is Water Permit No. 2190-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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 57501-3181

June 14, 1995

2190-2

Briant L Davis
Church of Jesus Christ of LDS
PO Box 742
Hot Springs, SD 57747-0742

Dear Mr. Davis:

I am contacting you regarding Water Permit No. 2190-2 and the yearly irrigation questionnaires you submit to our office. In reviewing your 1994 irrigation questionnaire, I noted that you completed the front part of the questionnaire concerning the type of system, water source and how many acres were irrigated, but did not complete the reverse side of the form. The back of the form requests information on the number of days each month, average hours per day and the pump rate.

The yearly irrigation questionnaires are sent out to obtain information on how much water is used from a particular source. During the irrigation season, you will need to keep track of the days per month, the average hours per day the system is used and the pump rate. If this data is kept, it is much easier to complete the irrigation questionnaire when it arrives in October.

As stated above, irrigation questionnaires are mailed out in October. I have enclosed a sample irrigation questionnaire for your use in keeping track of the information throughout the summer months. You do not need to mail the sample form back to us. If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 1995

2190-2

Terry Sessions
Rapid City SD PM Group
2822 Canyon Lake Drive
Rapid City, SD 57702

Dear Mr. Sessions:

Thank you for the prompt return of your 1995 irrigation questionnaire pertaining to Water Permit No. 2190-2. The front portion of the form was completed properly, however in order for the form to be complete, the back side of the form should also be filled in.

I am returning the questionnaire to you to complete the back side of the form. The crop type in your case would be "Lawn" and the acres irrigated each month would be "1.5" (as you indicated on the front side of the form). In each month that water was pumped, please indicate the pump rate, total days for the month and the average hours per day that water was applied. Please complete the form and return it to us by **December 15, 1995.**

Also enclosed is a partially completed "Notice of Transfer of Ownership" form. Please review the form for accuracy and make any necessary corrections. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

I am enclosing a postage paid envelope for your use in returning the irrigation questionnaire, transfer form and filing fee. If you have any questions, please contact me.

Sincerely,

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

enclosures

2190-2

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: Debbie w/Rapid City SD PM Group

ADDRESS: 2822 Canyon Lake Drive, Rapid City, SD 57702

COUNTY: Fall River

DATE: October 31, 1995

RE: ownership of No. 2190-2

COMMENTS:

The 1995 irrigation questionnaire was returned by the Rapid City SD PM Group for Water Permit No. 2190-2, held by Church of Jesus Christ of LDS. I mailed a "*Notice of Transfer of Ownership*" form to them for filing an ownership change.

Debbie, with the Rapid City SD PM Group called and indicated they only took care of things for the church, no ownership change had occurred. They want the yearly irrigation questionnaires mailed to them rather than to the church.

I told her to disregard the transfer form and I would list the "Group" as manager and mail future questionnaires to them until they instructed us otherwise.



Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 9, 1998

2190-2

Church of Jesus Christ of LDS
Kenneth M. Zortman, President
Hot Springs Branch
HC 83, Box 1037
Custer, SD 57730

Dear Mr. Zortman:

The investigation of your water use system was conducted on January 27, 1998, by Jeff Shafer, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 2190-2. 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.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

415738

Pierre, April 15, 19 98

RECEIVED OF Church of Jesus Christ of LDS, 2822 Canyon Lake Dr., Rapid City, SD 57702
the following amount in fees for services rendered as provided for by law:

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

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. 2190-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By _____
Chief Engineer

John Hatch

REPORT ON INSPECTION OF PERMIT NO. 2190-2

DATE OF INSPECTION: 1/27/98

Other permit(s) associated with the project: none

Contact Person & Address: President Kenneth M Zortman, Hot Springs Branch, HC 83 Box 1037, Custer SD 57730

DIVERSION POINT LEGAL LOCATION: SW1/4 NE1/4 section 23, T7S-R5E

WATER SUPPLY Source: Groundwater

Well Information:

- | | |
|---|-------------------------------------|
| 1) Well Drilling Firm: <u>Taylor Drilling</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>220</u> feet | 4) Well log is available <u>Yes</u> |

Casing:

- | | |
|---------------------------------|---------------------------|
| 1) Diameter <u>5 1/2</u> inches | 2) Length <u>197</u> feet |
| 3) Type <u>Steel</u> | |

Screen:

- | | |
|--------------------------------------|--------------------------|
| 1) Type <u>Unkown</u> | 2) Length <u>Unknown</u> |
| 3) Static water level <u>80</u> feet | |

Pump:

- | | |
|------------------------------------|---------------------------|
| 1) Make <u>Unknown Submersible</u> | 2) Model <u>Unknown</u> |
| 3) Size <u>Unknown</u> | 4) Capacity <u>40</u> GPM |

Motor:

- | | |
|------------------------------------|-----------------------------|
| 1) Make <u>Unknown</u> | 2) Model No. <u>Unknown</u> |
| 3) Horsepower rating <u>3/4</u> hp | |

DISTRIBUTION LINES OR CANALS:

- | | |
|---|-----------------------|
| 1) Type <u>Underground Sprinkler System</u> | 2) Size <u>2</u> inch |
|---|-----------------------|

PERMIT QUALIFICATIONS AND REGULATIONS:

- | |
|--|
| 1) Special qualifications to permit being abided by <u>Yes</u> |
| 2) All structures, wells and lands on map <u>Yes, as submitted</u> |

- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

Permit No. 2190-2
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

On, **January 27, 1998**, I made a thorough examination of the water use system constructed by **Church of Jesus Christ of LDS – Hot Springs of President Kenneth M. Zortman, Hot Springs Branch, HC 83 Box 1037, Custer SD 57730** holder of Permit No. **2190-2**, bearing the priority of **July 24, 1991** authorizing the diversion of **.088** cu. ft. per second of the waters of **groundwater** for **irrigation** purposes, in **Fall River** County.

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

- A. Works used to divert the water:
220' well with 3/4hp submersible pump
- B. Works used to transport water to place of use:
Underground sprinkler system 2 inch plastic pipeline
- C. Works used to apply water to beneficial use:
Underground sprinkler system

The system is in the following condition **very good**. The point of diversion is located **1700' south and 1850' west of NE corner of section 23 T7S-R5E**. The works are capable of diverting and conveying to the place of use **.088** cu. ft. per second of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

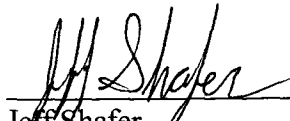
Section 23, T7S-R5E SW1/4 NE1/4 **1.5 ac.**

comprising a total of **1.5** acres of land and the license should be issued for **.088** cfs.

Applicable permit qualifications have been complied with: **Yes**

**** The diversion rate from the well for irrigation is limited to .02 cfs unless the number of hours of irrigation per day is reduced to a corresponding equivalent time period and the total amount of water applied does not exceed 24 inches per year. At a pumping rate of .09 cfs (40 gpm), the pumping time may not exceed 5.7 hours per day.**

Exceptions to compliance are: **None**



Jeff Shafer
Natural Resources Engineer
DENR, Water Rights Program

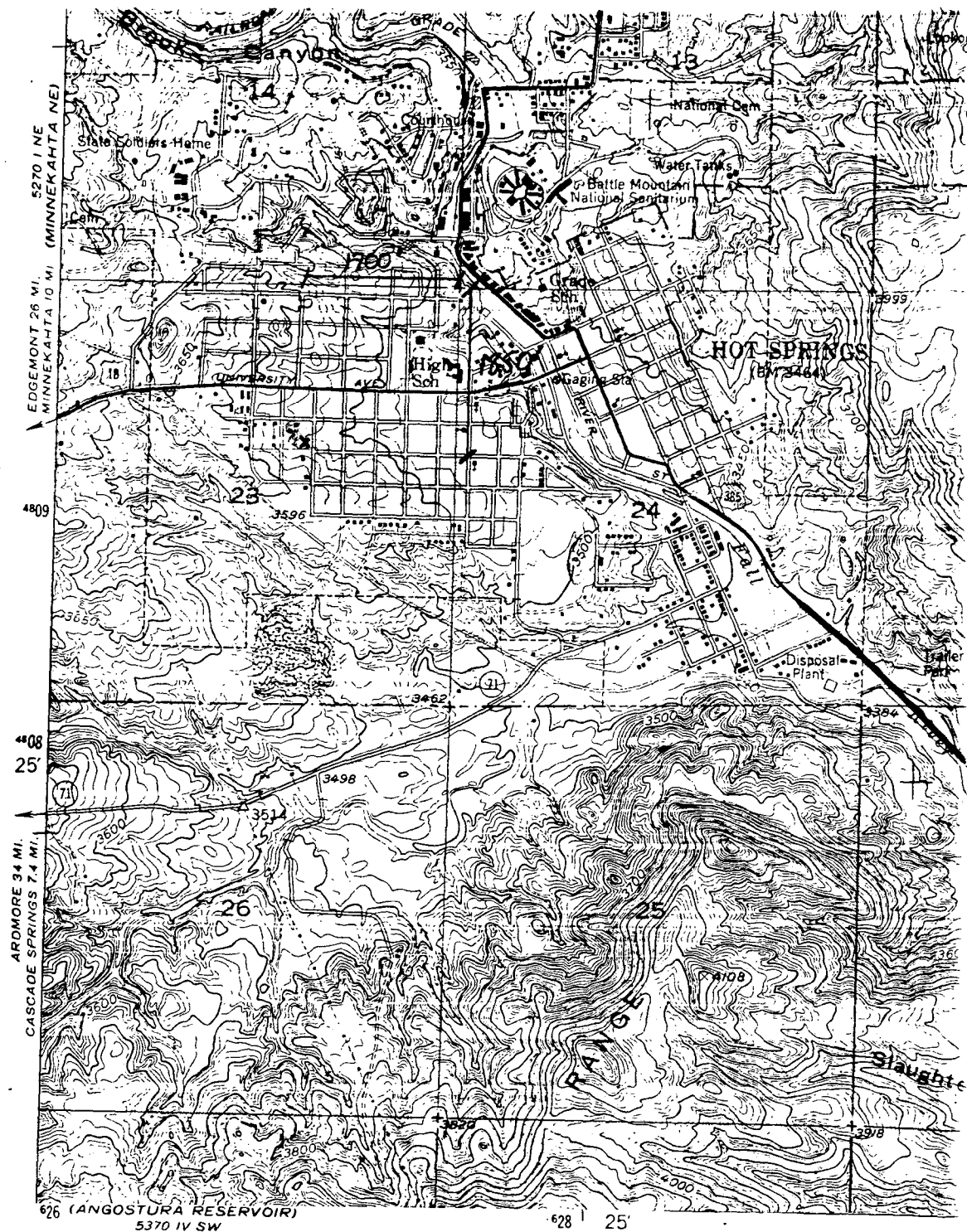
4-22-98

Date



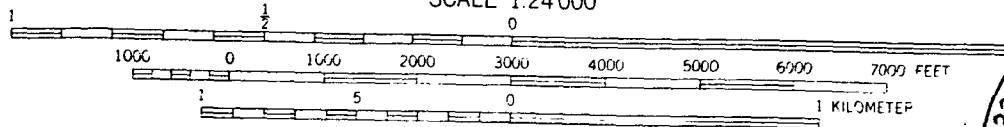
Amended by
Jeff Shater
J.S.

TOWNSHIP 75
RANGE 56

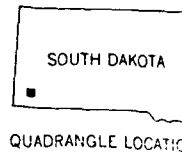
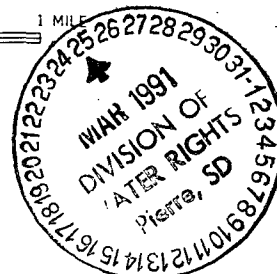


21 30' R. 6 E.

SCALE 1:24 000



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS, IS AVAILABLE ON REQUEST

Revisions shown in purple and white
aerial photographs taken 1976 and
This information not field checked.
Purple tint indicates extension of

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2190-2

(1) The Church of Jesus Christ of LDS – Hot Spring Branch, HC 83 Box 1037, Custer, SD 57730 made Application No. 2190-2, December 11, 1990 for a water permit to divert 0.088 cubic feet of water per second (cfs) from ground water (one well – Minnekahta Limestone), Fall River County, South Dakota for irrigation purposes. Permit No. 2190-2, with a priority date of July 24, 1991 was approved October 15, 1991 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.

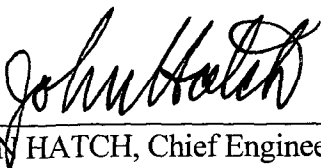
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.088* cubic feet of water per second for beneficial use. The location of the diversion point is 1,700'S and 1,850'W of the NE corner of Section 23, T7S, R5E (SW ¼ NE ¼).

* The diversion rate from the well for irrigation is limited to 0.02 cfs unless the number of hours of irrigation per day is reduced to a corresponding equivalent time period and the total amount of water applied does not exceed 24 inches per year. At a pumping rate of 0.088 (40 gpm), the pumping time may not exceed 5.7 hours per day.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 23, T7S, R5E SW ¼ NE ¼ 1.5 acres

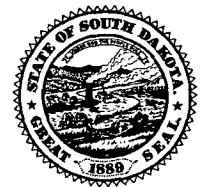
(4) Pursuant to South Dakota Water Law 46-5-30.1 the Church of Jesus Christ of LDS – Hot Springs Branch, HC 83 Box 1037, Custer, SD 57730 the holder and/or owner of Water Permit No. 2190-2 is issued a license to appropriate water, the right to use 0.088 cubic feet of water per second from ground water (one well – Minnekahta Limestone) with a priority date of July 24, 1991 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 2190-2 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 23 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

2190-2

Kenneth M. Zortman, President
Church of Jesus Christ of LDS
Hot Springs Branch
HC 83, Box 1037
Custer, SD 57730

Dear Mr. Zortman:

Enclosed is Water License No. 2190-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415738 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. 2190-2, 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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

gm
enclosures



2190-2
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: RAPID CITY PM GROUP, MGR, WILLIAM GAITHER, 2822 CANYON LAKE DR, RAPID CITY, SD 57702

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 2190-2. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 2, 2006, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2190-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is(are) received in this office on/or before February 24, 2006, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: B. DAVIS, CHURCH OF JESUS CHRIST OF LDS, PO BOX 742, HOT SPRINGS, SD 57747

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 31, 2006

2190-2

Bill Gaither
Rapid City FM Group, Mgr
2822 Canyon Lake Dr
Rapid City SD 57702

Dear Mr. Gaither:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 2190-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



2190-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
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www.state.sd.us/denr

January 26, 2007

NOTICE

TO: RAPID CITY FM GROUP, MGR, WILLIAM GAITHER, 2822 CANYON LAKE DR, RAPID CITY, SD 57702

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 2190-2. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 7, 2007, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2190-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is(are) received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/efrms/secure/efrms/E0455V5-IQ.pdf>

c: B. DAVIS, CHURCH OF JESUS CHRIST OF LDS, PO BOX 742, HOT SPRINGS, SD 57747

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

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www.state.sd.us/denr

February 12, 2007

2190-2

William Gaither
Rapid City FM Group, Mgr
2822 Canyon Lake Dr
Rapid City SD 57702

Dear Mr. Gaither:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 2190-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: B. Davis, Church of Jesus Christ of LDS, PO Box 42, Hot Springs, SD 57747



2190-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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January 23, 2009

NOTICE

TO: RAPID CITY FM GROUP, MGR, WILLIAM GAITHER, 2822 CANYON LAKE DR, RAPID CITY, SD 57702

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 2190-2. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2009**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2190-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pd>

c: **B. DAVIS, CHURCH OF JESUS CHRIST OF LDS, PO BOX 742, HOT SPRINGS, SD 57747**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

2190-2

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RAPID CITY FM GROUP, MGR
WILLIAM GAITHER
2822 CANYON LAKE DR
RAPID CITY SD 57702

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* Say no record however questionnaire has been received
So add'l followup will not be necessary.
Genny

2190-2

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Waiver of Signature ☐ YES ☐ NO

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www.state.sd.us/denr

January 29, 2009

2190-2

William Gaither
Rapid City FM Group
2822 Canyon Lake Dr
Rapid City SD 57702

Dear Mr. Gaither:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 2190-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

c: B Davis, Church of Jesus Christ of LDS

2190-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

November 4, 2019

2190-2

William Gaither
Rapid City SD FM Group
517 W Walnut St, Ste 4
Independence MO 64050-3738

Dear Mr. Gaither:

Enclosed is a "Notice" dated October 18, 2019 concerning the 2019 irrigation questionnaire.

The notice was originally mailed to 2822 Canyon Lake Dr, Rapid City SD. The post office notified us that your address has changed and I will update our records accordingly.

If the permit should be transferred or a different contact person listed, please contact me.

Sincerely,

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

April 9, 2024

2190-2

Church of Jesus Christ of LDS
2822 Canyon Lake Dr
Rapid City SD 57707

To whom it may concern:

The Church of Jesus Christ of LDS holds Water Right No. 2190-2. Water Right No. 2190-2 was issued April 23, 1998, and appropriates 0.088 cubic feet of water per second (approx. 40 gallons per minute) from 1 well for the irrigation of 1.5 acres located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, T5E-R7S. I've included a copy of the original license and map of the authorized area for you to reference.

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters. The irrigation questionnaires for Water Right No. 2190-2 had previously been mailed to "Rapid City FM Group" at the above address.

In 2019 the questionnaire was returned to us marked "undeliverable" by the United State Postal Service. We also attempted to send the questionnaire to PO Box 742, Hot Springs SD 57747. Since 2019, no irrigation questionnaires have been mailed due to insufficient contact information.

The purpose of this letter is to find out who is the proper point of contact in regard to this water right and whether irrigation is still taking place.

Sincerely,

Amanda Dewell
Water Rights Program
Permitting Administrator
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

cc: Rapid City Location, 2250 Moon Meadows Dr, Rapid City SD 57702
Hot Springs Location, 2133 Albany St, Hot Springs SD 57747
Newcastle Location, 120 Ash St, Newcastle WY 82701

Dewell, Amanda

From: Dewell, Amanda
Sent: Wednesday, April 17, 2024 4:53 PM
To: Bill Gaither
Subject: RE: [EXT] Water Management Irrigation Questionnaire

Mr. Gaither,

Thank you very much for responding to my letter. Our office will resume mailing for the 2024 season this fall to the 2822 Canyon Lake Dr address. If there are any issues with future mailing, at least now I have a good email and phone number to contact you at. Please look forward to receiving an irrigation questionnaire for WR No. 2190-2 in October '24.

Thank you again and have a wonderful evening!

Amanda Dewell
 DANR - Water Rights Program
 Permitting Administrator
 Main Phone: 605 773-3352
 Website: danr.sd.gov



From: Bill Gaither <William.Gaither@ChurchofJesusChrist.org>
Sent: Wednesday, April 17, 2024 4:39 PM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: [EXT] Water Management Irrigation Questionnaire

Amanda;

I am the Facilities Manager for The Church of Jesus Christ of Latter-day Saints in Rapid City, SD. The Church holds Water Right No. 2190-2 for our property in Hot Springs, SD. In 2019 the Facilities Management Department transitioned from entirely self-perform maintenance to an integrated facilities management model using a company named EMCOR. I cannot answer why the 2019 questionnaire was marked "undeliverable" by the United States Postal Service since I had been receiving, completing, and returning them from my office at 2822 Canyon Lake Dr. in Rapid City since 2000. I am still the proper contact for this water right and will fill out the questionnaire as soon as I receive it.

Kind Regards,

PS. I have copies of all the questionnaires I completed from 2000 thru 2018.

Bill Gaither, Facilities Manager
 Dakotas West FM Group
 605 219-7147



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: DAKOTA WEST FM GROUP, BILL GAITHER, MANAGER, 2822 CANYON LAKE DR,
RAPID CITY, SD 57702

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire has not been submitted for Permit No(s) 2190-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2190-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: WACYMK**

cc: CHURCH OF JESUS CHRIST OF LDS, PO BOX 742, HOT SPRINGS, SD 57747

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 24, 2025

2190-2

Dakota West FM Group
c/o Bill Gaither, Mgr
2822 Canyon Lake Dr
Rapid City SD 57702

Dear Mr. Gaither:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 2190-2. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

cc: CHURCH OF JESUS CHRIST OF LDS, PO BOX 742, HOT SPRINGS, SD 57747