

Considered: _____

WATER PERMIT NO. 2192-2

Phone: 745-4215

Name of Applicant: Bob Azarski

Post Office Address: HC 52, Box 112A, Hot Springs SD 57747

Amount of Water Claimed: 18 gpm (0.04 cfs) Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial County: Fall River

About 4 miles SW of Hot Springs

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 8-13-91 Fee: \$50.00 Remarks _____

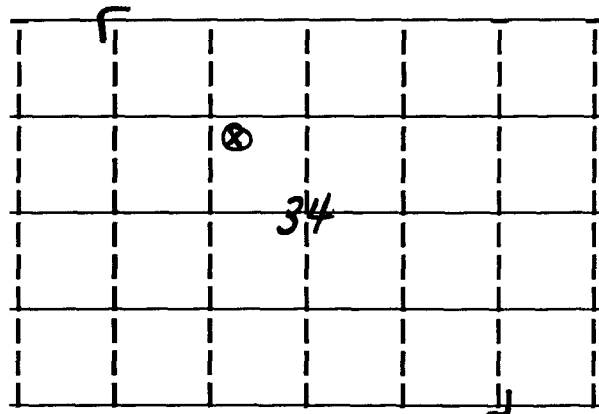
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: SE 1/4 NW 1/4 Sec 34-T7S-R6E

Land to be Irrigated: _____



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

Depth of Well: 720' REMARKS _____

Type of Map: aerial PREPARED BY: Brian L. Malde, ASCS Reviewed and the Number

Assigned on 8-13-91 By Karen Schlaak

No. 2192-2 Hydrologic Unit 10120109
 Map No. _____ Basin Upper Cheyenne
 Newspaper Hot Springs Star, Box 1006 (Tues)

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 ☐

Type of Application: Check one or more of the following

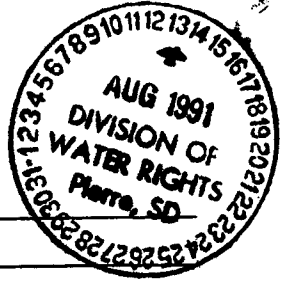
New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ 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. _____



- Name of Applicant Bob Azarski Phone No. _____
 Post Office Address HCS2 Box 112A Hot Springs State SD 57747
(Street, RR or Box) (City) Zip Code
- Amount of water claimed (c.f.s.) 18 gal per minute 0.04 cfs
- Source of water supply ground water
- Location of point of diversion tract A-1 in NW 1/4, Sec 34
Twp 7S Range 6E (SE 1/4 NW 1/4)
 County Fall River
- Counties where water will be used Fall River
- Annual period during which water is to be used Jan 1 → Dec 31
- 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)

For Maverick Truck Stop

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 _____ ss

I, Robert L Azarski, 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 _____

Subscribed and sworn to before me this

9th day of August 19 91

Judy Phis
 Notary Public

SOUTH DAKOTA
WATER PERMIT No. 2192-2

Date of first receipt of application August 13, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2192-2 to Bob Azarski, HC 52, Box 112A, 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. 2192-2 appropriates 18 gallons per minute (0.04 cubic feet of water per second) from one well (Inyan Kara Formation) 720 feet deep located in the SE 1/4 NW 1/4 (Tract A-1) Section 34-T7S-R6E.
2. The water appropriated shall be used for the purpose of supplying water for the Maverick Truck Stop and may not exceed the amount of water needed for beneficial use for commercial purposes.
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. 2192-2 is October 15, 1991.
5. The date from which applicant may claim right is August 13, 1991.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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.

WATER MANAGEMENT BOARD

By: _____

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

FEB 26 1992

date

Supplemental Information

(type or print in ink) *see drillers report*

1. Well Information - Proposed construction

- a) Drill Hole Diameter 7 7/8 Depth 220'
- b) Casing Type plastic Diameter 6" Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well: 200'
- On applicants property no On property owned by others yes



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 _____

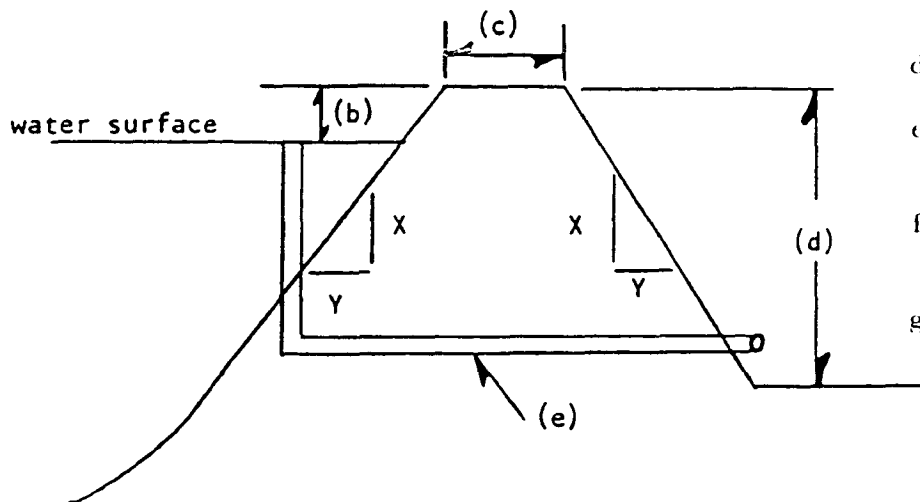
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

18-R
RS

T-594

11-110 2122-2

Maps provided
by Fall River Co.
ASCS.

Brian L. Mallick

well Location

Highway 79

Fall River Road

T595

34

16.9

NHEL

56.7

NHEL
2

7-6

18-R
RS



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

612792

Pierre, _____ August 13, 19 91

RECEIVED OF Maverick Jct Truck Stop, Star Rt., Box 112A, Hot Springs, SD 57747

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

Fee for Application for Permit No. <u>2192-2</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 John H. Hutton (E)
Chief Engineer

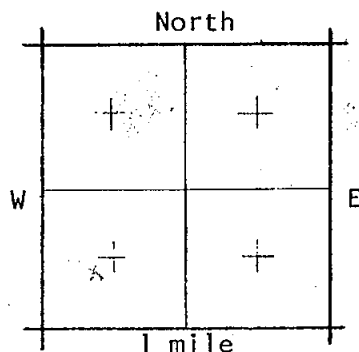
STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

SW 4 5 44 Sec 34 Twp 75 Rg 6E

County

FALL RIVER

Please mark well location with an "X"



Well Completion Date MAY 4 1984

PROPOSED USE:

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

Method of Drilling: ROTARY MWD

WELL CONSTRUCTION:

Diameter of hole $7\frac{1}{2}$ inches Depth 580 feetCasing: ☐ Steel ☒ Plastic ☐ Other

Specify SCH 200 PVC 5"

Pipe Weight Diameter SCH 80 PVC 3"

200 PVC lb/ft 5 inches 0 feet 580 feet

SCH 80 lb/ft 3 inches 540 feet 720 feet

Was a well screen used? ☒ Yes ☐ No

If Not Specify

Screen Type SCH 80 3" Slot Size 1/8"

Length 80 ft Diameter 3"

Was Casing left open end? ☒ Yes ☐ NoWas a Packer or seal used? ☒ Yes ☐ No

If so what material? NEO PASTE

Was well gravel packed? ☐ Yes ☒ NoWas well grouted? ☒ Yes ☐ No

Describe grouting procedure PUMPED TO SACK

Type II from top DOWN ON SIDS AND UP OUTSIDE

To what depth? 580 Feet

What was grouting material? Type II

If cement, how many sacks? 200

Location of packer(s) and screen or perforated pipe SCREEN 580-600 620-640

680-720 PACKED AT BASE EA SCREEN

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No

If so how and with what material?

Well Owner:

Name BOB AZARSKI

Address MAVERICK JUNCTION SER CENTER

Well Log:

Depth

Formation	From	To
BELL FOURCH SHALE	0	40
MOWRY SHALE	40	360
NO NEWCASTLE SAND		
SKUW CREEK SHALE	360	560
FALL RIVER SECTION	560	720



STATIC WATER LEVEL 126

If flowing: closed in pressure

GPM flow through inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify

Can well be completely shut off?

WELL TEST DATA:

☐ Pumped☒ Bailed☐ OtherDescribe: BAILED WELL FLOW
400 FT MEASURED
120 GPM AT THAT D

Pumping Level Below Land Surface

ft. After Hrs. pumped GPM

ft. After Hrs. pumped GPM

ft. After Hrs. pumped GPM

Remarks: 4 SHAW SECTIONS IN FALL RIVER
CEMENTED OFF TOP ONE 560-580 SECT
AND FORMATION PACKERS IN LAST 3 UNI
CEMENTED ENTIRE ANULUS OF CASIN
DUE TO CLOSURES OF SEWAGE SYSTEM
FROM HOT SPRINGS. (WELL USED FOR GATE)

This well was drilled under license # 4115

and this report is true and accurate.

Drilling Firm RABY DRILLING
Signed by [Signature]

Date MAY 14, 1984

(SEE BACK SIDE)

REPORT ON APPLICATION NO. 2192-2
for Bob Azarski
August 30, 1991

Application No. 2192-2 proposes to appropriate 18 gpm (0.04 cfs) from one well approximately 720 feet deep located in the SE 1/4 NW 1/4 of section 34, T7S R6E in Fall River County. The water is for commercial use at the Maverick Truck Stop.

AQUIFER - INYAN KARA (INKR)

The Inyan Kara consists of the Fall River, Fuson and Lakota Formations in descending order. This well is probably completed into the Fall River Formation. The entire Inyan Kara section is approximately 500 feet thick in this area, underlies 917,760 acres and contains an estimated 22.37 million acre feet of recoverable water in storage in Fall River County (Allen, 1984). The Fall River consists of marine sandstones with shale, mudstone and siltstone and ranges in thickness from 115 to 200 feet in this area (Wolcott, 1967). The aquifer is under artesian conditions and the well completion report filed with the application indicates the well is capable of producing 120 gpm using air to bail the well. The static water level was reported at 126 feet below land surface with the top of the Fall River at 560 feet below land surface. The well was grouted in accordance with SD Well Construction Standards for a public water supply.

The Division of Water Rights does not monitor any observation wells in this area which are completed into the Inyan Kara. Water level information is available for an Inyan Kara well near Hermosa, but this is nearly 30 miles north of this site.

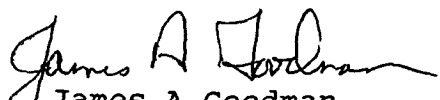
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing Water Permit Nos. 1928-2 and 1929-2 which are located within 1/2 mile of this application. Both wells authorized by these permits are completed into the Fall River Formation also. Interference is not expected to be a problem. Drawdown will be created by pumping, but because of the relatively low and intermittent pumping rate and the distance between wells this is not expected to be adverse. These wells are all constructed in a manner which will allow the lowering of the pump if necessary.

CONCLUSIONS

1. Water is available from the Inyan Kara.
2. The aquifer is under artesian conditions. Pumping will cause some drawdown but this is not expected to be adverse.
3. This well is constructed in accordance with SD Well Construction Standards for a public water supply well.

4. This is an existing well and has been in use since 1984 with no reported problems.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Allen, J.C., etal., 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, South Dakota, USGS Bulletin 1063-K, Washington, DC.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2192-2, Bob Azarski

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. 2192-2, Bob Azarski, HC 52, Box 112A, Hot Springs, SD 57747.

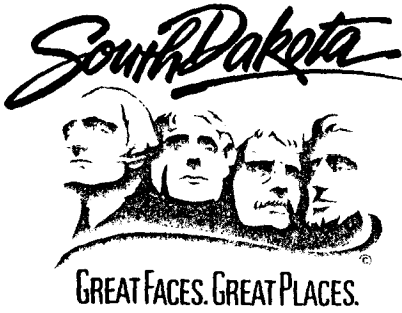
The Chief Engineer is recommending APPROVAL of Application No. 2192-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

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

See report on application for additional information.



JOHN HATCH, Chief Engineer
September 4, 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.

September 5, 1991

Bob Azarski
HC 52 Box 112A
Hot Springs, SD 57747

Dear Mr. Azarski:

Water Permit Application No. 2192-2 for commercial 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.



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. 2192-2 to be published twice. Please publish the first notice on September 17, 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 Bob Azarski, HC 52 Box 112A, Hot Springs, SD 57747.

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

NOTICE OF HEARING on Application No. 2192-2 to Appropriate Water

Notice is given that Bob Azarski, HC 52 Box 112A, Hot Springs, SD 57747 has filed an application for a water permit to appropriate 18 gallons per minute (0.04 cubic feet of water per second) from one well (Inyan Kara Formation) 720 feet deep located in the SE 1/4 NW 1/4 (tract A-1) Section 34-T7S-R6E. The water is for commercial use at the Maverick Truck Stop.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2192-2 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. 2192-2 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.

SEP 1991
DIVISION OF
WATER RIGHTS
Pierre, SD

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 26 1992

Bob Azarski
HC 52 Box 112A
Hot Springs, SD 57747

Dear Mr. Azarski:

Enclosed is Water Permit No. 2192-2 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

March 9, 1998

2192-2

Bob Azarski
HC 52, Box 112A
Hot Springs, SD 57747

Dear Mr. Azarski:

The investigation of your water use system was conducted on January 28, 1998, by Jeff Shafer, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 2192-2. 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

NO 415700

Water Rights Program

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 19, 19 98

RECEIVED OF Maverick Junction (Bob Azarski), HC 52, Box 112A, Hot Springs, SD 57747
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. 2192-2

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

Permit No. 2192-2

Upper Cheyenne River - 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 28, 1998**, I made a thorough examination of the water use system constructed by **Bob Azarski** of **HC 52 Box 112A, Hot Springs SD 57747** holder of Permit No. **2192-2**, bearing the priority of **August 13, 1991** authorizing the diversion of **.04** cu. ft. per second of the waters of **Groundwater** for **Commercial** purposes, in **Fall River** County.

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

A. Works used to divert the water:

720' well with unknown submersible pump, 1 1/2hp

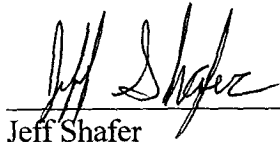
B. Works to transport water to place of use:

Underground Plastic Pipe

The system is in the following condition **Good**. The point of diversion is located **Approximately 1150' north and 750' west of the Center of Section 34 T7S-R6E**. The works are capable of diverting and conveying to the place of use **.04** cu. ft. per second of which is to be used for **Commercial use**.

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

Exceptions to compliance are: **None**



Jeff Shafer

Natural Resources Engineer
DENR, Water Rights Program

2-27-98

Date

REPORT ON INSPECTION OF PERMIT NO. 2192-2

DATE OF INSPECTION: 1/28/98

Other permit(s) associated with the project: none

Contact Person & Address: Bob Azarski, HC 52 Box 112A, Hot Springs SD 57747

DIVERSION POINT LEGAL LOCATION: SE1/4 NW1/4 Section 34 T7S-R6E

WATER SUPPLY Source: Ground Water

Well Information:

- | | |
|---|-------------------------------------|
| 1) Well Drilling Firm: <u>Raby Drilling</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>720</u> feet | 4) Well log is available <u>Yes</u> |

Casing:

- | | |
|--|---------------------------|
| 1) Diameter <u>5 to 580' 3 to 720</u> inches | 2) Length <u>720</u> feet |
| 3) Type <u>Plastic PVC</u> | |

Screen:

- | | |
|---------------------------------------|--------------------------|
| 1) Type <u>3" PVC Sch 80</u> | 2) Length <u>80</u> feet |
| 3) Static water level <u>126</u> feet | |

Pump:

- | | |
|------------------------------------|---------------------------|
| 1) Make <u>Unknown Submersible</u> | Model <u>Unknown</u> |
| 3) Size <u>Unknown</u> | 4) Capacity <u>18</u> GPM |

Motor:

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

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map Yes, as marked on submitted map
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Not Applicable

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2192-2

(1) Bob Azarski, HC 52 Box 112A, Hot Springs, SD 57747 made Application No. 2192-2, August 13, 1991 for a water permit to divert 0.04 cubic feet of water per second (18 gallons per minute) from ground water (one Inyan Kara well), Fall River County, South Dakota for commercial purposes. Permit No. 2192-2, with a priority date of August 13, 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 0.04 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 1150'N and 750'W of the center of Section 34, T7S, R6E (SE¼ NW¼).

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

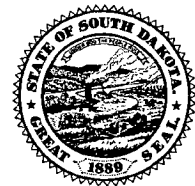
(4) Pursuant to South Dakota Water Law 46-5-30.1 Bob Azarski, HC 52 Box 112A, Hot Springs, SD 57747 the holder and/or owner of Water Permit No. 2192-2 is issued a license to appropriate water, the right to use 0.04 cubic feet of water per second from ground water (one Inyan Kara well) with a priority date of August 13, 1991 from the location specified in (2) of this license, for commercial purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 2192-2 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

2192-2

Bob Azarski
HC 52, Box 112A
Hot Springs, SD 57747

Dear Azarski:

Enclosed is Water License No. 2192-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415700 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. 2192-2, 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