

Considered: _____

WATER PERMIT NO. 2251-2

Phone: 673-3017 or 673-4040

Name of Applicant: Atlantic Mt. Ranch

Post Office Address: HC 83, Box 90, Custer SD 57730

Amount of Water Claimed: 15 gpm 0.033 cfs Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: institutional County: Custer

About 5 miles NE of Custer

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 10-8-92 Fee: \$50 Remarks _____

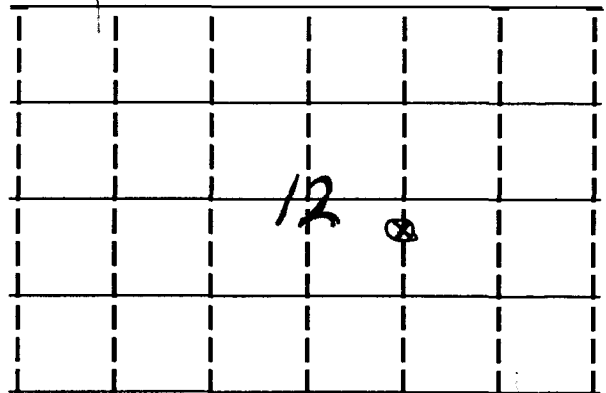
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: N 1/2 SE 1/4 Sec 12-T3S-R3E

Land to be Irrigated: _____



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

Depth of Well: 207' REMARKS _____

Type of Map: plat PREPARED BY: Wayne D Carroll Reviewed and the Number

Assigned on 10-9-92 By Karen Schlaak

No. 2251-2 Hydrologic Unit 10120109
 Map No. _____ Basin Upper Cheyenne
 Newspaper Custer County Chronicle, Box 551

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 ☒ Bible Camp

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☐ Construction to use water reserved by Future Use Permit No. _____

1. Name of Applicant Atlantic Mt. Ranch Phone No. 673-3017

Post Office Address HC 83 - Box 90 Custer State S.D. Zip Code 57730
(Street, RR or Box) (City)

2. Amount of water claimed (c.f.s.) 1.5 GPM (0.033)

3. Source of water supply dug well

4. Location of point of diversion SW 1/4 NE 1/4 Sec 12 T-3-S R 3 E

NW 1/4 SE 1/4, W 1/2 W 1/2 NE 1/4 SE 1/4

90 ACRES N 1/2 SE 1/4 County Custer

5. Counties where water will be used Custer

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

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

water will be used for normal Bible Camp activities; drinking, bathing, cooking etc.

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

STATE OF SOUTH DAKOTA)
 County of Custer)^{ss}

1. Mark Thompson 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 Mark L. Thompson

Subscribed and sworn to before me this 15th day of October 1992

Catherine H. Wahle

Notary Public

Comm Exp 10-11-93

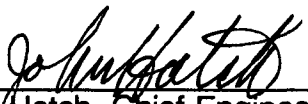
**SOUTH DAKOTA
WATER PERMIT NO. 2251-2**

Date of first receipt of application October 8, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2251-2 to Atlantic Mt. Ranch, HC 83, Box 90, Custer SD 57730 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2251-2 appropriates 15 gallons per minute (0.033 cubic feet of water per second) from one well (Precambrian Rock) 207 feet deep located in the N 1/2 SE 1/4 Section 12-T3S-R3E.
2. The water appropriated shall be used for the purpose of supplying water at the bible camp and may not exceed the amount of water needed for beneficial use for institutional 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. 2251-2 is December 2, 1992.
5. The date from which applicant may claim right is October 8, 1992.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

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

MAR 16 1993
date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 5 7/8" Depth 207
- b) Casing Type Plastic Diameter _____ 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) 7'
- g) Distance to nearest existing domestic well: 300'
- On applicants property yes On property owned by others _____

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 _____

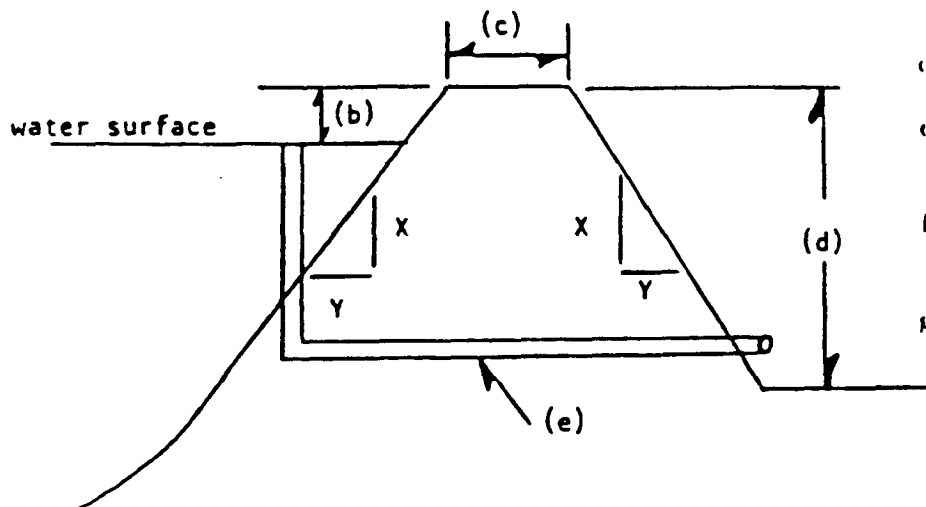
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Mark L. Thompson
Signature of Applicant

RECEIPT

413461

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, October 9, 19 92

RECEIVED OF Lutherans Outdoors in SD, Augustana College, Sioux Falls, SD 57197
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>2251-2</u> to Appropriate Water, to construct 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 _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch/gmh
Chief Engineer

STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location 50 Sec. 12 Twp. 35 Rg. 32

County

North

Custer

Please mark well location with an "X"

Well Completion Date 6-26-85

PROPOSED USE:

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

Method of Drilling:

Down hole hammer

WELL CONSTRUCTION:

Diameter of hole 6-5/8" BIT inches Depth 207 feetCasing: ☐ Steel ☒ Plastic ☐ OtherSpecify 30' - 160 PUC
 Pipe Weight Diameter From To
 lb/ft inches feet feet
 lb/ft inches feet feet
Was a well screen used? ☐ Yes ☐ NoIf Not Specify Screen Type Slot Size Length Diameter Was Casing left open end? ☒ Yes ☐ NoWas a Packer or seal used? ☐ Yes ☐ NoIf so what material? Was well gravel packed? ☐ Yes ☒ NoWas well grouted? ☒ Yes ☐ NoDescribe grouting procedure Type III (cement)
30' to 15'±To what depth? FeetWhat was grouting material? Port LandIf cement, how many sacks? Location of packer(s) and screen or perforated pipe
 WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No
 If so how and with what material?

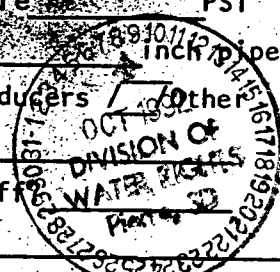
Well Owner

Name Atlantic Mt RanchAddress Custer, SD 57050

Well Log

Depth

Formation	From	To
Drift	0	10
Schist Hd. grey	10	40
Quartz Fractured 59 gpm	40	41
Schist Hd. grey	41	80
Schist Brn. fractured	80	82
Schist Hd. grey	82	120
Quartz Fractured 159 gpm	120	122
Schist Hd. grey	122	178
Schist Hd. Brown	178	182
Schist Hd. grey	182	207

STATIC WATER LEVEL 7' FeetIf flowing: closed in pressure PSIGPM flow through inch pipeControlled by ☐ Valve ☐ Reducers ☒ OtherIf other; specify Can well be completely shut off? 

WELL TEST DATA:

☒ Pumped w/air - 159 gpm☐ Bailed Describe: ☐ Other

Pumping Level Below Land Surface

 ft. After Hrs. pumped GPM ft. After Hrs. pumped GPM ft. After Hrs. pumped GPM

Remarks:

Water cleaned up well with AIR.Set 1 1/2 H.P. #12-50 Sub-pump on 180' sch. 80 - 1" PUC. Deep pipeThis well was drilled under license # 324

and this report is true and accurate.

Rex. Dalg' Co.

Ray Alexander

Drilling Firm

Signed by

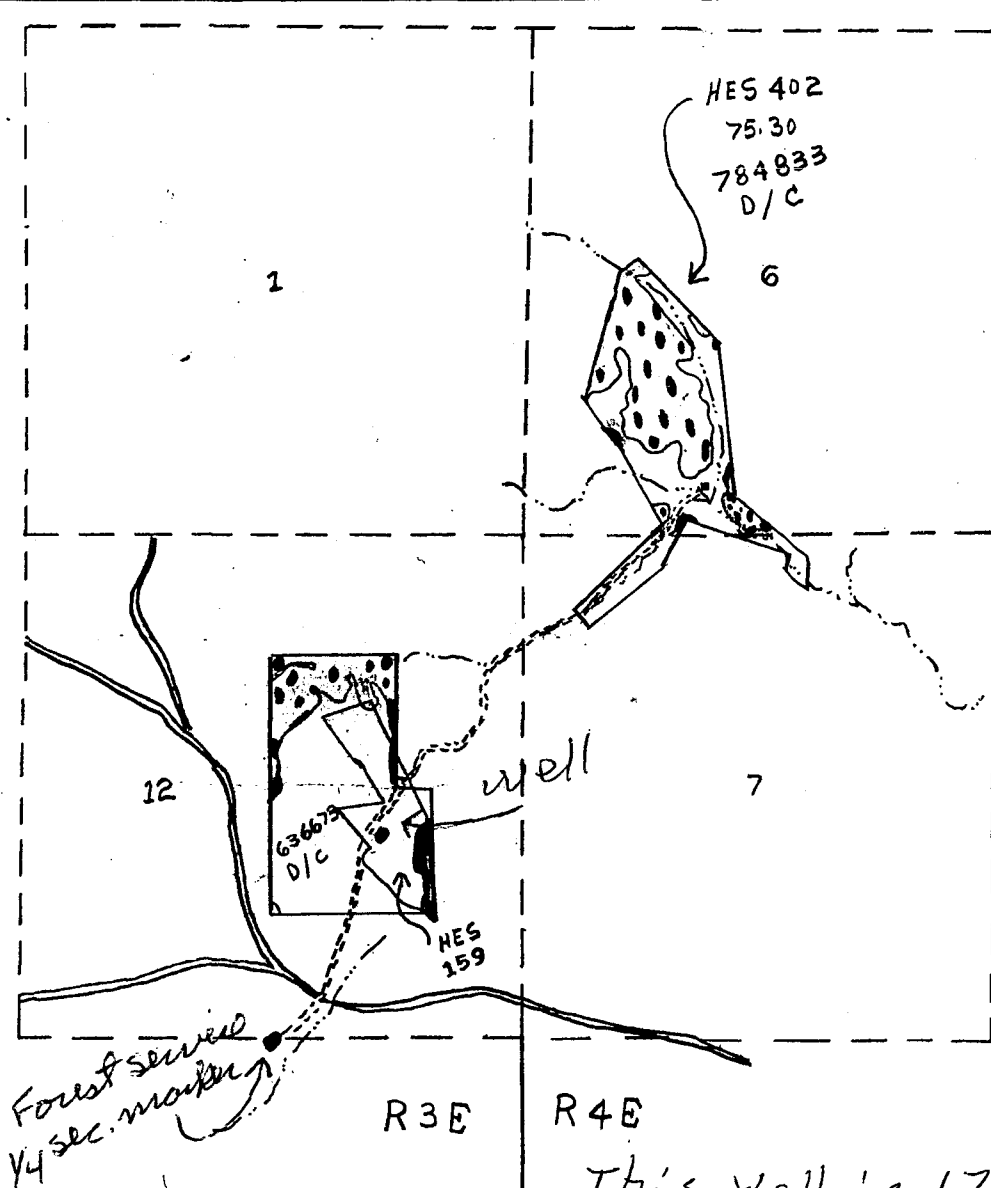
7-19-85

Date

FIELD MAP SHEET

Case Designation or Project: Atlantic Mountain Ranch (Outlaw Outcamp) Twp: T3S Rge: R3+4E Sec: 6,7,12

File Number _____ Program Year 1970 165 Acres



● Sawlogs

● Posts + Pulpwood

This well is 1,700 ft. from
 1/4 corner on the south side
 of section 12 T3S R3E
 Wayne D. Carroll
 assistant District Forester

Prepared by: Carroll + Norman

Scale: 1:24,000

Date: 6-18-70

Ap. 11 N 22-1-70

↑
center of
Sec. 12

T1397
FS. 44 marker

12

1700 → • well

Atlantic Mt. Ranch
Custer S.D.

57730





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 12, 1992

Mark Thompson
Atlantic Mtn. Ranch
HCR 83, Box 90,
Custer SD 57730

Dear Mr. Thompson:

This letter is a follow-up to our phone conversation of June 19, 1992. I was under the impression that you would be submitting the required water rights application, but we have not received anything from you on this matter. I'll be glad to help you fill out the forms or answer any questions you may have. You may call me at 605-773-3352.

Sincerely,

A handwritten signature in cursive script, appearing to read "Don Frye".

DON FRYE, Natural Resources Analyst
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 19, 1992

Mark Thompson
Atlantic Mtn. Ranch
HCR 83, Box 90
Custer SD 57730

Dear Mr. Thompson:

I am enclosing another set of water right application materials as you requested. As I said on the phone, I'll be glad to help you fill out the forms. You can call me at 605-773-3352.

Sincerely,

DON FRYE, Natural Resources Analyst
Water Rights Division
enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 1992

MARK THOMPSON
ATLANTIC MTN. RANCH
HCR 83, BOX 90
CUSTER SD 57730

Dear MR. THOMPSON:

I am writing to follow-up on my October 1990 and June 19, 1991 letters regarding the need for a permit to appropriate water for use in your facility. Based on the information we have, we believe you need a permit. We would appreciate your earliest attention to this matter.

Pursuant to South Dakota Codified Laws 46-1-15 and 46-5-10, except for private domestic use, a water permit is required to use water from any water source. Examples of commercial enterprises that require permits for private water supplies are: truckstops, motels, restaurants, tourist attractions, bars, clubs, commercial campgrounds and any other business operation. Examples of institutions that require permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute or use water outside of the school building.

An existing business or institution without a required water permit has no legal right to the use of water. Water users without a water permit are not protected if their water use is interfered with by someone who has a water right. If you believe you already have a water permit or if you have a permit issued under another name, please contact us.

We have previously sent you water permit application forms and an instruction sheet. Please complete and return the application with the required fee to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501". If you have questions, or don't believe you need a water permit, contact Don Frye, Natural Resources Analyst (605-773-3352).

Very truly yours,

RON DUVAL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

South Dakota

GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 19, 1991

MARK THOMPSON
ATLANTIC MTN. RANCH
HCR 83, BOX 90
CUSTER SD 57730

Dear MR. THOMPSON:

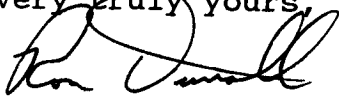
I am writing to follow-up on my October 1990 letter concerning the requirement to apply for a water permit. We have not received any response from you on this matter and would appreciate your earliest reply.

Based on information we have received from the Office of Drinking Water, we believe you may need a water permit. A water permit must be obtained for any water use except for domestic uses. Water use by commercial businesses, such as campgrounds, tourist attractions, resorts, cafes, gas stations, etc. must be permitted regardless of the amount or type of water use. Schools using more than 18 gallons of water per minute must also be permitted. Please complete and return the enclosed application forms, with the required fee, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by July 31, 1991.

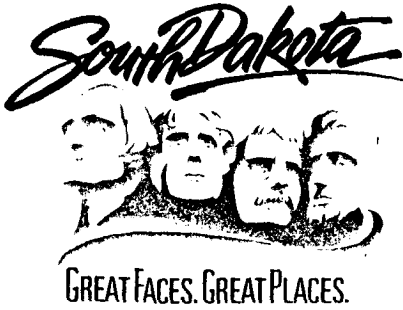
If you need assistance completing the application forms or if you do not believe you need a water permit, please contact Don Frye at (605) 773-3352.

Thank you for your attention to this matter.

Very truly yours,



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



DEPARTMENT OF WATER & NATURAL RESOURCES

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

September 9, 1992

Mark Thompson
Atlantic Mtn. Ranch
HCR 83, Box 90
Custer SD 57730

Dear Mr. Thompson:

I am writing to follow-up to my October 1990, June 19, 1991 and February 12, 1992 letters and a phone call to you on June 19, 1992 by a member of our staff regarding the legal requirement that you obtain a permit to appropriate water for use in your facility. A business without a water permit has no legal right to the use of water and the Chief Engineer can issue a shut off order if the illegal use of water continues.

Please complete and return the application with the required fee to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by October 9, 1992. If you have questions or need assistance contact Don Frye, Natural Resources Analyst (605-773-3352).

Very truly yours,

RON DUVALL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

REPORT ON APPLICATION NO. 2251-2
for Atlantic Mt. Ranch
October 27, 1992

Application No. 2251-2 proposes to appropriate 15 gpm (0.033 cfs) from one well approximately 207 feet deep located in the N 1/2 SE 1/4 of section 12, T3S R3E in Custer County. The water is for institutional use at the bible camp.

AQUIFER - PRECAMBRIAN ROCK (CRSL)

The Precambrian rock in this area consists of metagraywacke and quartz-mica schist or phyllite (Redden, 1975). Ground water is obtained from fractures within the rock type. The driller's log filed with the application indicates that water was encountered in fractures from 120 to 122 feet below land surface. The completed well has a static water level of 7 feet below land surface and was capable of producing 15 gpm. There is no estimate available for the amount of water in storage for this rock type. The aquifer is unconfined (at the land surface) although because of the fractures may behave like the formation is confined.

The Division of Water Rights does not monitor any observation wells completed into the Precambrian rock in this area. The nearest observation is CU-TEMP which is located about 6 miles east and south of this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years due to recharge and gradually declining water levels during dry years. The Precambrian rock is capable of sustaining additional withdrawals (Water Rights, 1992).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights within 3 miles of this application. Interference is not expected to be a concern.

CONCLUSIONS

1. Water is available from the Precambrian rock.
2. The rock is unconfined. Interference is not a concern.
3. The well is completed in accordance with SD Well Construction Standards.

4. The method of wastewater disposal is not known.



James A Goodman

Natural Resources Engineer

BIBLIOGRAPHY

Redden, J.A., 1975, Precambrian Geology of the Black Hills, in Bulletin 16, Mineral and Water Resources of SD, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1992, Unpublished Observation Well Records for Custer County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2251-2, Atlantic Mountain Ranch

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. 2251-2, Atlantic Mountain Ranch, c/o Mark L. Thompson, HC 83 Box 90, Custer, SD 57730.

The Chief Engineer is recommending APPROVAL of Application No. 2251-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

JOHN HATCH, Chief Engineer
October 29, 1992



**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.

October 29, 1992

Mark L. Thompson
Atlantic Mountain Ranch
HC 83 Box 90
Custer, SD 57730

Dear Mr. Thompson:

Water Permit Application No. 2251-2 for institutional use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Custer County Chronicle printed at Custer, SD (Ph # 673-2217). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 29, 1992

Custer County Chronicle
Box 551
Custer, SD 57730

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2251-2 to be published twice. Please publish the first notice on November 4, 1992, 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 Atlantic Mountain Ranch, HC 83 Box 90, Custer, SD 57730 (Ph # 673-3017 or 673-4040).

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 November 4, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2251-2 to Appropriate Water

Notice is given that Atlantic Mt. Ranch, HC 83 Box 90, Custer, SD 57730 has filed an application for a water permit to appropriate 15 gallons per minute (0.033 cubic feet of water per second) from one well (Precambrian Rock) 207 feet deep located in the N 1/2 SE 1/4 Section 12-T3S-R3E. The water is for institutional use at the bible camp.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2251-2 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 November 23, 1992. 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, December 2, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, 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 based on the facts presented at the public hearing. The December 2, 1992, 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 November 23, 1992.

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 Eric Gronlund by November 23, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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, 46-2A-20, 46-2A-21; 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. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Custer) ss.



I, Terri Tugge

certify that the attached printed Notice was taken
 from the Custer Co Chronicle

A newspaper which during the whole time of publication of
 said notice herein after stated, has been and is printed and
 published in the _____

City of Custer

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

11/04/92

11/11/92

Terri Tugge
 (Signature)

Owner Rep.
 (Title)

11/17/92
 (Date Signed)

Cost of Printing: \$52.73

NOTICE OF HEARING ON APPLICATION NO. 2251-2 TO APPROPRIATE WATER

Notice is given that Atlantic Mt. Ranch, HC 83 Box 90, Custer, SD 57730 has filed an application for a water permit to appropriate 15 gallons per minute (0.033 cubic feet of water per second) from one well (Precambrian Rock) 207 feet deep located in the N 1/2SE 1/4 Section 12-T3S-R3E. The water is for institutional use at the bible camp.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2251-2 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 November 23, 1992. 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, December 2, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, 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 based on the facts presented at the public hearing. The December 2, 1992, 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 November 23, 1992.

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 Eric Gronlund by November 23, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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, 46-2A-20, 46-2A-21; 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.

Robert E. Roberts, Secretary,
Department of Environment and Natural
Resources.

#3098 11/4, 11/11



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 16 1993

Mark L. Thompson
Atlantic Mountain Ranch
HC 83 Box 90
Custer, SD 57730

Dear Mr. Thompson:

Enclosed is Water Permit No. 2251-2 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



OCT 26 2001

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 25, 2001

2251-2

Atlantic Mt. Ranch
c/o Jeff Rohr
HC 83 Box 90
Custer SD 57730

Dear Mr. Rohr:

On October 16, 2001 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2251-2, was completed by Donald E Stroup, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

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

Sincerely,

Karen Schlaak

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

OUTLAW/ATLANTIC MT. RANCHES

Charge Acct. # 16-607041-50.00

Approved By *JS*



How help was this retreat
for starting your staff

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416976

Pierre, November 19, 2001

RECEIVED OF Atlantic Mt. Ranch, % Jeff Rohr, HC 83 Box 90, Custer, SD 57730
the following amount in fees for services rendered as provided for by law:

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

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 2251-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By

Darland Erbe

Chief Engineer

gm

**Permit No. 2251-2
Custer County**

To: Chief Engineer, Water Rights Program, DENR Foss Bldg., Pierre, SD 57501
Other permit/license(s) associated with project: **None**
Contact Person & Address: **Jeff Rohr, Outlaw Ranch, HC 83 Box 90, Custer, SD 57730**

Report Of Examination Of Works

On **October 16, 2001**, I made a thorough examination of the water use system authorizing the appropriation of 0.033 cubic feet per second (cfs) of water from a well for institutional purposes at the Atlantic Mountain Ranch and bearing the priority date of October 8, 1992.

The well and distribution system are in good condition and capable of pumping water at **5 gallons per minute (gpm)** or 0.011 cfs. The diversion point is in the **NW¼ SE¼ of Section 12 T3S R3E (N43.8017° W103.7021°), 1530-feet West and 2060-feet North of the Southeast Corner of the section.**

Review of Permit Qualifications And Regulations:

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

Report On the Specifics of the System

Diversion Point Information:

- | | |
|--|-----------------------------------|
| 1) Well Drilling Firm: Alexander Drilling Co. | 2) No. of Wells: 1 |
| 3) Depth(s): 207-feet | 4) Well log available: Yes |

Casing:

- 1) Diameter: **6-inch**
- 2) Length: **30-feet**
- 3) Type: **PVC**

Screen:

- | | |
|--------------------------------------|----------------------|
| 1) Type: None | 2) Length: NA |
| 4) Static water level: 7-feet | |

Pump\ Motor:

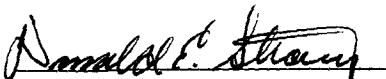
- | | |
|---|------------------------------------|
| 1) Pump Make: Unknown, Submersible, Electric | 2) Pump Model: NA |
| 3) Capacity: 5 gpm | 4) Motor Make: NA |
| 5) Motor Model No.: Unknown | 6) Horsepower rating: NA hp |

Distribution System:

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

COMMENTS:

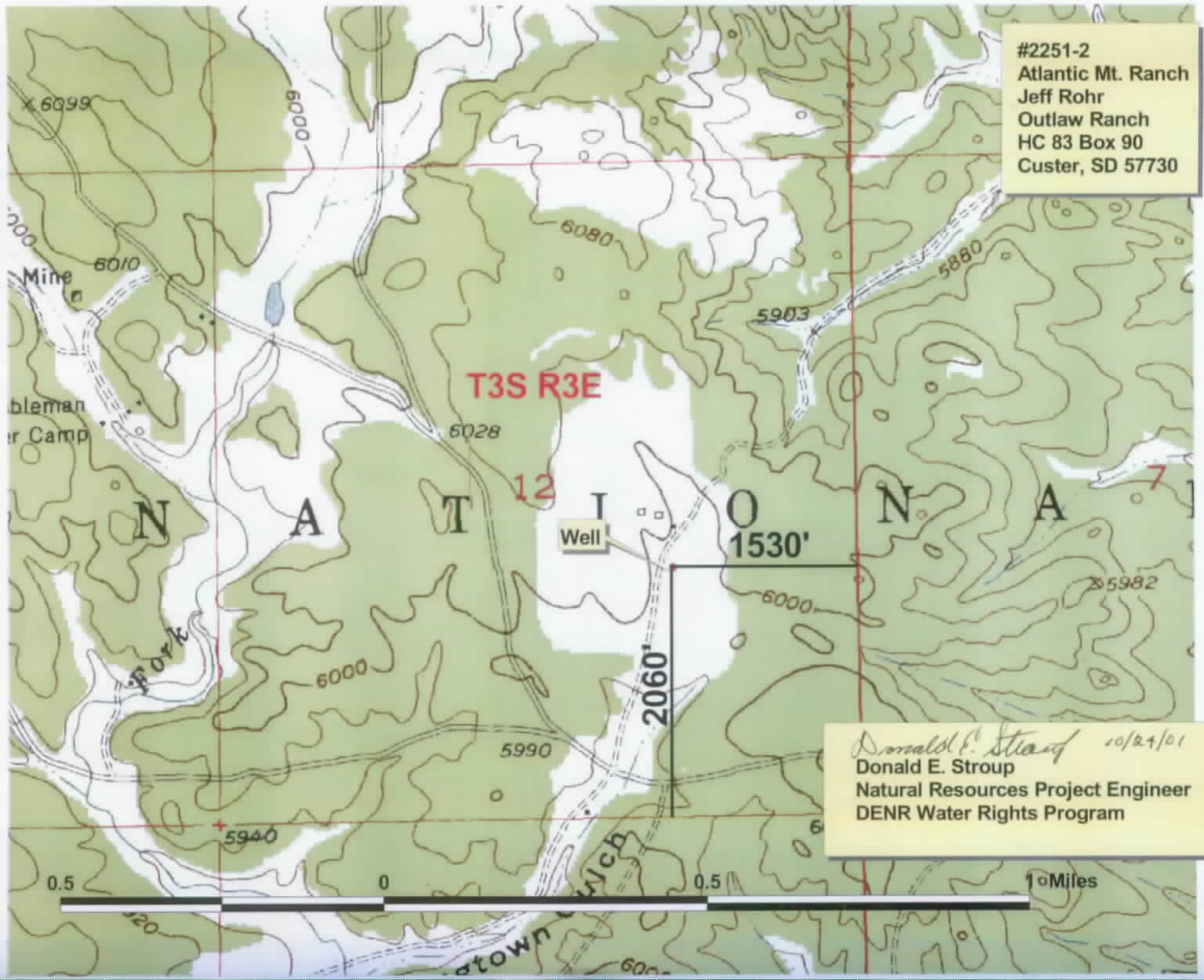
This well should be licensed for the as built 5 gpm (0.011 cfs) diversion rate.



Donald E. Stroup
Natural Resources Project Engineer
DENR, Water Rights Program

10/24/01
Date

#2251-2
Atlantic Mt. Ranch
Jeff Rohr
Outlaw Ranch
HC 83 Box 90
Custer, SD 57730



Donald E. Stroup 10/24/01
Donald E. Stroup
Natural Resources Project Engineer
DENR Water Rights Program

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2251-2

(1) Atlantic Mt. Ranch, HC 83, Box 90, Custer SD 57730 made Application No. 2251-2, October 8, 1992 for a water permit to divert 0.033 cubic feet of water per second from groundwater (one well), Custer County, South Dakota for institutional use purposes. Permit No. 2251-2, with a priority date of October 8, 1992 was approved December 2, 1992 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.011 cubic feet of water per second for beneficial use. The location of the diversion point is 1,530 feet west and 2,060 feet north of the southeast corner of Section 12-T3S-R3E (NW ¼ SE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use at the bible camp.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Atlantic Mt. Ranch, HC 83, Box 90, Custer SD 57730 the holder and/or owner of Water Right No. 2251-2 is issued a license to appropriate water, the right to use 0.011 cubic feet of water per second from groundwater (one well) with a priority date of October 8, 1992 from the location specified in (2) of this license for institutional use purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2251-2 and subject to South Dakota State Law.



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

DEC 07 2001

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 07 2001

2251-2

Atlantic Mt. Ranch
% Jeff Rohr
HC 83 Box 90
Custer, SD 57730

Dear Mr. Rohr:

Enclosed is Water License No. 2251-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416976 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. 2251-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

NOV 12 2019

Ck# 1054

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

RECEIVED

NOV 12 2019

Water Right/Permit No. 2251-2

Date: 11/07/19

WATER RIGHTS
PROGRAM

I/We request that Water Right/Permit No. 2251-2 formerly owned by:

Atlantic Mt. Ranch

be transferred to:

New Owner Name: Eagle Properties, LLC

Address: 2152 Dolan Creek Rd

City, State, Zip Sturgis, SD 57785

Telephone No. 605-490-9962

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

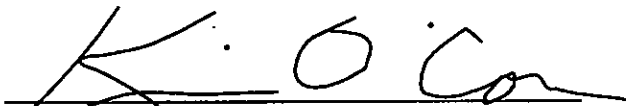
N 1/2 SE 1/4 Sec 12-T3S-R3E
Custer County, SD

☒ I understand that the validity of Water Right/Permit No. 2251-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Kim O'Connor, member, the new owner, certify that the above information is true and correct.


(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 12, 2019

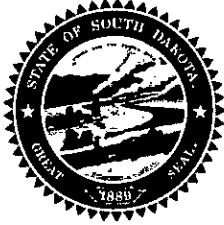
RECEIVED OF Kim O'Connor 2152 Dolan Creek Rd Sturgis SD 57785

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	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 _____ 2251-2		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	50	00

No. 09245

By Jeanne Goodman
Chief Engineer
JYK.



OFFICE OF THE SECRETARY OF STATE

STEVEN J. BARNETT, SECRETARY OF STATE

JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: **Eagle Properties, LLC**

General Information

SOS Business ID DL172337
Filing Type: Limited Liability Company - Domestic
 10/30/2019
Delayed Effective Date: 11/01/2019 12:00 AM
Status: Good Standing
Duration Term: Perpetual
Managed By: Member-Managed

Registered Agent Address

Kim A. O'Connor
 2152 DOLAN CREEK ROAD
 STURGIS, SD 57785

Principal Address

2152 DOLAN CREEK RD
 STURGIS, SD 57785

The following document(s) was/were filed in this office on the date(s) indicated below:

<u>Date Filed</u>	<u>Filing Description</u>	<u>Image #</u>
10/30/2019	Initial Filing (Delayed Date 11/01/2019)	B0118-3810



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

November 13, 2019

2251-2

Kim O'Connor
Eagle Properties LLC
2152 Dolan Creek Rd
Sturgis SD 57785

Dear Mr. O'Connor:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 2251-2.

The ownership change has been completed. Water Right No. 2251-2 formerly held by Atlantic Mt. Ranch is now listed under Eagle Properties LLC.

Enclosed for your records is Receipt No. 09245 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please let me know.

Sincerely,

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

enclosure