

**SOUTH DAKOTA
WATER PERMIT NO. 2268-2**

Date of first receipt of application December 28, 1992.

Date of return to applicant for corrections, amendments or changes December 28, 1992.

Date of receipt of corrected application March 9, 1993.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2268-2 to Gary T. Wolff, RR 10 Box 261, Rapid City SD 57701 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. 2268-2 appropriates 0.22 cubic feet of water per second from one well (Inyan Kara Formation) 1625 feet deep located in the SW 1/4 SW 1/4 Section 20-T2N-R8E.
2. The water appropriated shall be used for the purpose of supplying water for suburban housing development and may not exceed the amount of water needed for beneficial use at the Prairie Acre Estates.
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. 2268-2 is June 22, 1993.
5. The date from which applicant may claim right is March 9, 1993.
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 Hatch
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources

SEP 17 1993

date

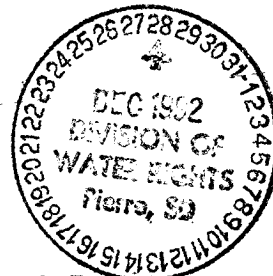
FORM 2: Application for uses other than irrigation

(type or print)

Mail to:

Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 2268-2 Hydrologic Unit 10120111
Basin Upper Cheyenne
Newspaper Rapid City Journal, PO Box 450 57709
(office use only)



Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water:

☐ Municipal ☒ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☐ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☒ Domestic (over 18 gpm) ☐ Industrial ☐ Other

Type of Application: ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

1. Name of Applicant Gary T. Wolff Phone 343-0306
Mailing Address RR10 Box 261 Rapid City State SD 57701
(Street, RR, or Box) (City) (Zip Code)

2. Amount of water claimed 0.22 *CFS or 100 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply 1 water well Lakota formation

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1 - well 950' SW1/4 SW1/4 278E S20
County Penn.

5. County or counties where water will be used Pennington

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

7. Give a description of the 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)

Prairie Acre Estates

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of Penn)^{ss}

I, Gary T. Wolff, 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 Gary T. Wolff
Subscribed and sworn to before me this 23 day of April 1992

Shirley J. Wolff
Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 3/4" / 16 1/4" Depth 300' / 1625'
b) Casing Type Steel Diameter 7" to 300' Thickness .312"
c) Screen Type Steel Diameter 4 1/2" from 300' to 1520' Thickness .250"
d) Gravel Pack Thickness none Length of Gravel Pack _____
e) Depth to Top of Water Bearing Material 1520'
f) Depth to Water (ground surface to water level) 100'
g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others _____

2. Dugout Information

- 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 for each dam. The locations of the dams need to 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

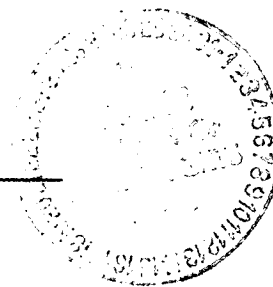
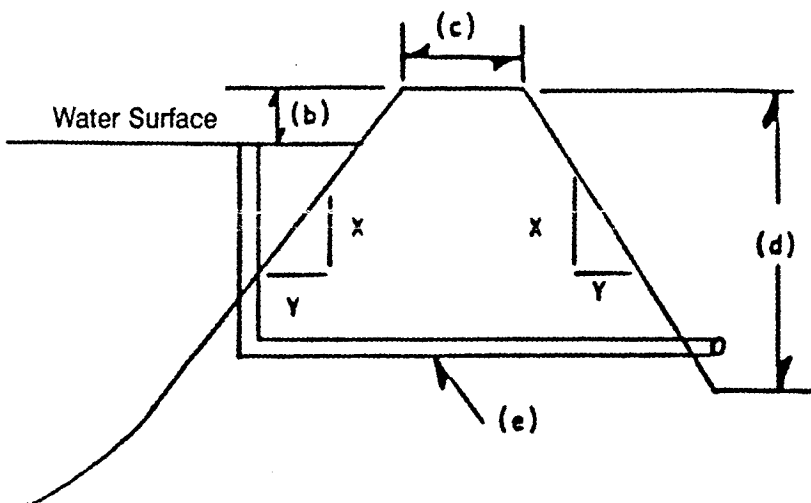
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area above Dam _____ Acres



WATER PERMIT NO. 2268-2

Phone: 343-0306

Name of Applicant: Gary T. Wolff

Post Office Address: RR 10, Box 261, Rapid City SD 57701

Amount of Water Claimed: 0.22 cfs Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: suburban housing County: Pennington

About _____ miles NW of Rapid City

PRIORITY Date Received: 12-28-92 Fee: \$225 Remarks: _____

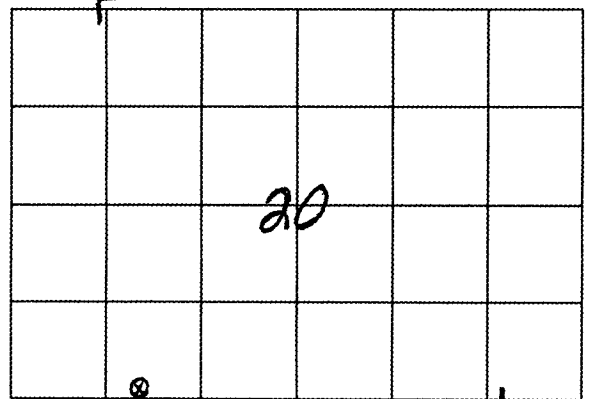
Corrected Application Received: 3-9-93 Period of Annual Use: Jan 1 - Dec 31

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

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

Diversion Point: SW 1/4 SW 1/4 Sec 20-T2N-R8E

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 1625' REMARKS: no log available

Type of Map: topo PREPARED BY: Ronald Dean Davis, PE Reviewed and the Number

Assigned on: 3-9-93 By: Karen Schlaak

RECEIPT

413667

Division of Water Rights

South Dakota Department of Environment and Natural Resources

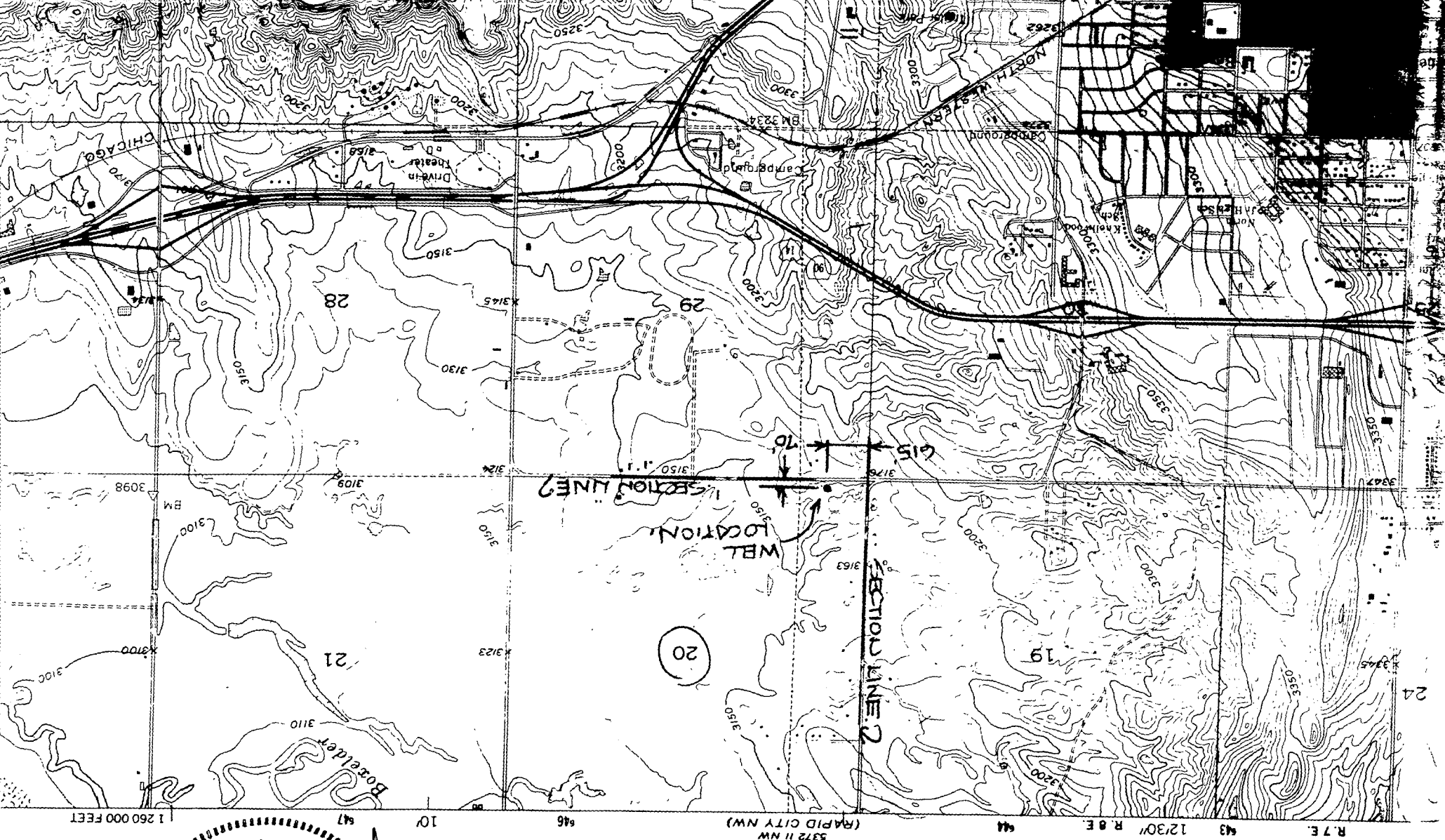
Pierre, March 9, 19 93

RECEIVED OF Gary T Wolff, Prairie Acre Estates, Rt 10 Box 261, Rapid City, SD 57701
the following amount in fees for services rendered as provided for by law:

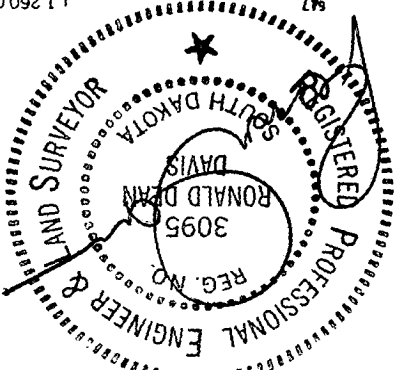
Fee for Application for Permit No. <u>2368-2</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting 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	225 00

By John H. Hark
Chief Engineer



WELL LOCATION MAP.
- PRAIRIE ACRES ESTATES -



RAPID SOUTH
2.5 MILES
April 110.
2268-2

this log is for
a well in the
same quarter

Brownington

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: 1/4 1/4 1/4 Section 30 Township 19 Range 5 E
Well owner: Don Hatch (Name) 10 City (Address)
Date well drilling completed: 4-10-76 Purpose of well: Drill (Domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing casing	ft
<u>Gravel</u>	<u>500'</u>	<u>16 30'</u>	ft
<u>Gravel</u>	<u>9 37</u>	<u>81'</u>	ft
<u>Gravel</u>	<u>12 15</u>	<u>16 51</u>	ft
<u>Gravel</u>	<u>15 12</u>		
<u>Gravel</u>	<u>16 20</u>		
<u>Gravel</u>	<u>16 31 TD</u>		

Casing information: in the space below show kind, size, weight, length, diameter, etc., the production casing and surface casing, if used.
10 1' 7" Cemented 23 1/2'
10 1/2' 4" 11 1/2'

Screen information: in the space below show length of screen, bottom of casing, diameter and kind of screen or casing perforations.
37' 11' 1/2" 2 1/2"

If a flowing well, flow of completed well: _____ G.P.M.

Attach sheet if more space is needed

Walter V. V. V.
Name of Drilling Contractor

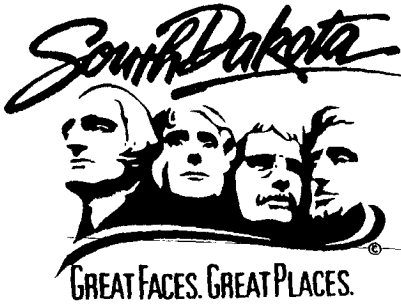
(2) PUMP INSTALLATION

Company name and size of pump: 5 hp 1/2" HP 15
Type of pump: Sub Capacity of installed pump: 100 G.P.M.
Depth of pump placement: 378 ft. Date of pump installation: 4-10-76

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required. See Section 48.408 of Chapter 48.4, MINNESOTA WELL CONSTRUCTION STANDARDS.
Show exact vertical length of water surface measuring tube, when installed: _____ ft. tube diameter: _____
Tube material: _____

J. M. G. G.
Name of Pump Installation Contractor



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 1992

Gary and Shirley Wolff
Prairie Acre Estates
RT 10 Box 261
Rapid City SD 57701

Dear Mr & Mrs Wolff:

I am contacting you regarding the possibility that you may need a permit to appropriate water for use in your facility. We have reviewed our records after receiving information from the Office of Drinking Water and can not locate a water permit for your facility.

Pursuant to South Dakota Codified Laws 46-1-15 and 46-5-10, a water permit is required to use water from any water source, except for private domestic use. Examples of commercial use that require permits for private water supplies are: truckstops, motels, restaurants, tourist attractions, bars, clubs, commercial campgrounds and any other business operation. Examples of noncommercial use 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. A vested water right can be claimed for water uses beginning on or prior to February 28, 1955, for ground water or March 2, 1955, for surface water.

An existing business without a 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.

Enclosed are 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" by July 16, 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
enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 21, 1992

Gary and Shirley Wolff
Prairie Acre Estates
RT 10 Box 261
Rapid City SD 57701

Dear Mr & Mrs Wolff:

I am writing to follow-up to my June 16, 1992 letter regarding the legal requirement that you obtain a permit to appropriate water for use in your facility. We have reviewed our records and can not locate a water permit for your business. **A Business without a water permit has no legal right to the use of water. The Chief Engineer can issue a shut off order, if the illegal use of water continues.**

Please complete and return the application that was sent to you with my June 16, 1992 letter. Send the application, with the required fee, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by **August 21, 1992**. If you believe you already have a water permit, have a permit issued under another name, or need assistance, 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 2, 1992

Gary and Shirley Wolff
Prairie Acre Estates
RT 10 Box 261
Rapid City SD 57701

Dear Mr & Mrs Wolff:

I am writing to follow-up my June 16, 1992 and July 21, 1992 letters regarding the legal requirement that you obtain a permit to appropriate water for use in your water distribution system.

As we discussed during our phone conversation, no water permit can be located for Prairie Acre Estates even though you believe an application was filed. A water distribution system using in excess of 18 Gallons Per Minute requires obtaining a water permit. Without a water permit, you have 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.

Enclosed are additional 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" by December 31, 1992. If you have questions or need assistance contact Barry McLaury, Natural Resources Analyst (605-773-3352).

Very truly yours,

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

enclosure



December 28, 1992

Gary T. Wolff
RR 10, Box 261
Rapid City SD 57701

Dear Mr. Wolff:

In regard to your water permit application received on December 28, 1992, the following information needs to be submitted in order to process your application.

1. A map showing the location of the diversion point (place where the well is located) in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).
2. A well log signed by a South Dakota licensed well driller must accompany the application. If you do not have a copy of the well log, please let us know.
3. The filing fee for this application will be \$225.00.
4. What type of waste water disposal system does the Prairie Acre Estates utilize?

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

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 1993

Gary T. Wolff
RR 10, Box 261
Rapid City SD 57701

Dear Mr. Wolff:

On December 28, 1992, you submitted an application (copy enclosed) for a permit to appropriate water for suburban housing. You were notified on December 28, 1992 (copy enclosed) that the application was incomplete and were instructed what additional information was necessary in order to complete the application. To date, we have not received a response from you.

Obtaining a water permit ultimately benefits you by protecting your right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

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

enclosure



**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.

May 19, 1993

Gary T. Wolff
RR 10 Box 261
Rapid City, SD 57701

Dear Mr. Wolff:

Water Permit Application No. 2268-2 for suburban housing 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 Rapid City Journal printed at Rapid City, SD (Ph # 394-8300). 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

May 19, 1993

Rapid City Journal
PO Box 450
Rapid City, SD 57709

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2268-2 to be published twice. Please publish the first notice on May 26, 1993, 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 Gary T. Wolff, RR 10 Box 261, Rapid City, SD 57701 (Ph # 343-0306).

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 May 26, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2268-2 to Appropriate Water

Notice is given that Gary T. Wolff, RR 10 Box 261, Rapid City, SD 57701 has filed an application for a water permit to appropriate 0.22 cubic feet of water per second from one well (Inyan Kara) 1625 feet deep located in the SW 1/4 SW 1/4 Section 20-T2N-R8E. The water is for suburban housing development at the Prairie Acre Estates.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2268-2 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 June 14, 1993. 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. 2268-2 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for June 22, 1993, 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 June 22, 1993, 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 June 22, 1993, 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 June 14, 1993.

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 Eric Gronlund by June 14, 1993, 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.

NOTICE OF HEARING
ON APPLICATION
NO. 2268-2 TO

APPROPRIATE WATER

Notice is given that Gary T. Wolff, RR 10 Box 261, Rapid City, SD 57701 has filed an application for a water permit to appropriate 0.22 cubic feet of water per second from one well (Inyan Kara) 1625 feet deep located in the SW 1/4 SW 1/4 Section 20-T2N-R8E. The water is for the suburban housing development of the Prairie Acre Estates.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2268-2 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 June 14, 1993. 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., 2268-2 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for June 22, 1993, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, S.D. If this application is opposed or the recommendation is contested, the June 22, 1993, 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 June 22, 1993, 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 June 14, 1993.

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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 of Pennington) ss

I, Helena M. Bauer

certify that the attached printed Notice was

taken from the Rapid City Journal

printed and published in Rapid City

County of Pennington and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

May 26, 1993

June 2, 1993

Cost of Printing: 11 12/16 inch legal adv

@ 5.10 per inch run 2 times \$119.88

Helena M. Bauer
(Signature)

Bookkeeper

(Title)

June 2, 1993

(Date Signed)

REPORT ON APPLICATION NO. 2268-2
for Gary T. Wolff
April 27, 1993

Application No. 2268-2 proposes to appropriate 0.22 cfs (100 gpm) from one well approximately 1625 feet deep located in the SW 1/4 SW 1/4 of section 20, T2N R8E in Pennington County. The water is for a suburban housing development at Prairie Acres Estates.

AQUIFER - INYAN KARA (INKR)

The Inyan Kara consists of the Fall River and Lakota Formations which are separated by the Fuson shale in some locations. The Fall River and Lakota Formation are mostly sandstone with interbedded shale and siltstone. The formations combined attain a thickness of 350 to 500 feet (Cattermole, 1972). The aquifer is confined and under artesian conditions in this area. The Inyan Kara underlies 1.245 million acres and contains an estimated 23.35 million acre feet of recoverable water in storage in Pennington County (Allen, 1984). The aquifer is areally extensive around the entire Black Hills and it extends into Meade County to the north and into Custer County to the south.

Very little information concerning well completion is included with this application. No driller's log is available. However, the depth and information available match well with other well logs for this area.

The Division of Water Rights does not monitor any observation wells completed into the Inyan Kara in this area. The nearest Inyan Kara observation well is located just south of Hermosa about 20 miles to the south of this location. Water levels for this well show a gradual decline but probably are not representative of this area. The Inyan Kara is capable of sustaining additional withdrawals (Water Rights).

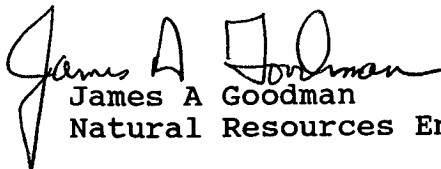
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing water permit Nos. 2051-2 and 1790-2 in this area. The south well for water permit No. 2051-2 is about 1700 feet east, and the north well is about 1 mile northeast of the well for this application. The well for water permit No. 1790-2 is about 1 mile south of this application. Interference is likely to occur; however, this is unlikely to be adverse. These wells have all been in use for many years with no reported controversy.

CONCLUSIONS

1. Water is available from the Inyan Kara.

2. The aquifer is confined and under artesian conditions. Drawdown will occur as a result of pumping. These wells have been in use for many years with no reported problems. Interference is not expected to be adverse.
3. The facility has a wastewater lagoon. No discharge is permitted.
4. According to Gary Stephenson (Rapid City Office) the well owner has recently installed a larger pump and the well now pumps a lot of silt.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Allen, J.C., D.L. Iles, A.K. Petres, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Cattermole, J.M., 1972, Geologic Map of the Rapid City East Quadrangle, Pennington County, South Dakota, Map GQ-986, 1:24000.

Water Rights, Unpublished Observation Well Data for the Inyan Kara, SD DENR, Division of Water Rights, Pierre, SD, 57501.

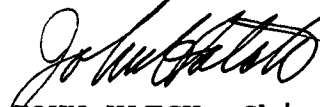
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2268-2, Gary T. Wolff

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. 2268-2, Gary T. Wolff, RR 10 Box 261, Rapid City, SD 57701.

The Chief Engineer is recommending APPROVAL of Application No. 2268-2 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) 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
May 3, 1993



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 17 1993

Gary T. Wolff
RR 10 Box 261
Rapid City, SD 57701

Dear Mr. Wolff:

Enclosed is Water Permit No. 2268-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 28, 2000

2268-2

Gary T. Wolff
1550 Seger Drive
Rapid City, SD 57701

Dear Mr. Wolff:

On April 25, 2000, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2268-2, was completed by Stacy J. Johnson, 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,

Cheryl F. Frost
Secretary
Water Rights Program

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 416578

Pierre, July 10, 2000

RECEIVED OF Prairie Acre Estates (Gary T. Wolff), 1550 Seger Rd., Lot 80, Rapid City, SD 57701
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. 2268-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By Ma. Cand. Esquivel
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

July 11, 2000

Gary T. Wolff
1550 Seger Road, Lot 80
Rapid City, SD 57701

Dear Mr. Wolff:

Prairie Acre Estates obtained a water right permit in 1993 which appropriates water from one well to supply a suburban housing development. Specifically, Water Permit No. 2268-2 was issued authorizing diversion of 100 gallons per minute (gpm) from one well constructed in the Inyan Kara Aquifer.

On April 25th, I conducted an onsite visit of the water use system for the purpose of licensing the permit. Licensing is a step required by law to ensure the system was developed as proposed and to quantify the amount of water being placed to beneficial use. I found that the actual diversion rate is 110 gpm. This extra 10 gpm is not authorized by the facility's current permit.

A new water right permit will need to be obtained for the extra 10 gpm of water. I have enclosed a partially completed water right permit application. The application will also need to be signed, notarized, and submitted with the appropriate application filing fee. The fee for an application appropriating 10 gpm is \$50. I have prepared a map showing the location of the well. Finally, I want to make you aware that this application will need to be public noticed and you will be responsible for this cost at the time of publishing.

If you have any questions on the need to file a new application for the extra 10 gpm or the application process, feel free to contact me at (605) 773-3352 or via email at stacy.johnson@state.sd.us.

Sincerely,

A handwritten signature in cursive script that reads 'Stacy J. Johnson'.

Stacy J. Johnson
Natural Resources Engineer

Water Rights Division - DENR

Conversation or File Documentation

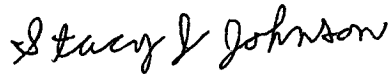
Name of Person: Gary Wolff **File No.** 2268-2

Address: 1550 Seger Road, Lot 80, Rapid City, SD 57701 **County:** Pennington

Date: July 18, 2000 **Telephone:** (605) 343-0306

RE: Application Letter for Additional 10 gallons per minute (gpm) for Prairie Acres Estates.

Comments: I talked to Gary Wolff of Prairie Acres Estates about the application letter I sent to him last week. In the letter I told Mr. Wolff that a new water right had to be issued for an additional 10 gpm. The original water permit was for 100 gpm. In talking to Mr. Wolff this morning the pump and motors inside the building are for the distribution system for the suburban housing development. Mr. Wolff told me that this pump has a capacity of 110 gpm. I asked Mr. Wolff about the capacity of the submersible pump outside of the building. He told me that this pump capacity is 100 gpm. When I did my inspection on April 25th Mr. Wolff told me or I found in pump booklet the capacity to be 124 gpm. Mr. Wolff told me that he did not want get a new permit since Prairie Acres Estates currently does not use the total 100 gpm. I told him that I would do some checking and get back to him. He told me that it would be best for me to write him a letter with my findings.



Stacy J. Johnson
Natural Resources Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

July 18, 2000

Gary T. Wolff
1550 Seger Road, Lot 80
Rapid City, SD 57701

Dear Mr. Wolff:

Prairie Acre Estates obtained a water right permit in 1993 which appropriates water from one well to supply a suburban housing development. Specifically, Water Permit No. 2268-2 was issued authorizing diversion of 100 gallons per minute (gpm) from one well constructed in the Inyan Kara Aquifer.

On April 25th, I conducted an onsite visit of the water use system for the purpose of licensing the permit. Licensing is a step required by law to ensure the system was developed as proposed and to quantify the amount of water being placed to beneficial use. I found or was told that the actual diversion rate is 124 gpm. In our phone conversation this morning you told the actual diversion rate is 100 gpm. The 100 gpm diversion rate is covered under Water Permit No. 2268-2. If the diversion rate would be increased above the 100 gpm a new water permit would need to be obtained for the extra gpm. All the steps and procedures would need to be followed that I talked about in my last letter to you about the application process.

If you have any questions, feel free to contact me at (605) 773-3352 or via email at stacy.johnson@state.sd.us.

Sincerely,

Stacy J. Johnson
Natural Resources Engineer

Permit No. 2268-2
Upper Cheyenne- Water District

Report Of Examination Of Works

On, **April 25, 2000**, I made a thorough examination of the water use system constructed by **Gary T. Wolff** of **1550 Seger Drive, Rapid City, SD 57701** holder of Permit No. **2268-2**, bearing the priority of **March 9, 1993**, authorizing the diversion of **0.22** cu. ft. per second of the waters from **one well (Inyan Kara Formation) 1625 feet deep located in the SW ¼ SW ¼ Section 20 T2N-R8E to supply water for suburban housing development** purposes, in **Pennington** County.

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

A. Works used to divert the water:

Inside building

A Gould 1 ½ X 2-6 pump

Outside building

B. Works used to apply water to beneficial use:

Suburban Housing Development (SHD) Distribution System

The system is in the following condition **good**. The point of diversion is located **from the SW corner of Section 20 T2N-R8E 581 east and 52 feet north** with a longitude of **103.18937** and a latitude of **44.1113010**. The works are capable of diverting and conveying to the place of use **0.22*** cu. ft. per second of water that is to be used for **Suburban Housing Development**. Water has been put to beneficial use and the license should be issued for **0.22** cfs.

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

Exceptions to compliance are: **none**

*Please look at File Documentation dated July 18, 2000.

Stacy J. Johnson

Stacy J. Johnson

Natural Resources Engineer

DENR, Water Rights Program

7-25-00

Date

REPORT ON INSPECTION OF PERMIT NO. 2268-2

DATE OF INSPECTION: April 25, 2000

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

Contact Person & Address: Gary T. Wolff, 1550 Seger Drive, Rapid City, SD 57701

DIVERSION POINT LEGAL LOCATION: from the SW corner of Section 20 T2N-R8E 581 east and 52 feet north

Longitude: -103.18937 Latitude: 44.1113010

WATER SUPPLY Source: one well (Inyan Kara Formation) 1625 feet deep located in the SW 1/4 SW 1/4 Section 20 T2N-R8E

Pump\ Motor: Inside Building for Distribution System

- | | |
|----------------------------|--------------------------------------|
| 1) Pump Make <u>Gould</u> | 2) Pump Model <u>3656</u> |
| 3) Capacity <u>110</u> GPM | 4) Motor Make <u>Century</u> |
| 5) Motor Model No. | 6) Horsepower rating <u>two 5</u> hp |

DISTRIBUTION SYSTEM

- 1) Type plastic 2) Size 4 inches 3) Length 2600 feet
- 1) Type plastic 2) Size 3 inches 3) Length 4000 feet
- 1) Type plastic 2) Size 2 inches 3) Length 150 feet

Pump\ Motor: Outside Building

- | | |
|--------------------------------------|--|
| 1) Pump Make <u>Submersible</u> | 2) Pump Model <u>Submersible</u> |
| 3) Capacity <u>100</u> GPM | 4) Motor Make <u>Franklin Electric</u> |
| 5) Motor Model No. <u>2366146010</u> | 6) Horsepower rating <u>20</u> hp |

PERMIT QUALIFICATIONS AND REGULATIONS:

1) Special qualifications to permit being abided by yes

2) ~~All structures, wells and lands on map~~ yes

COMMENTS: Pump system set up. Water is pumped from the pump. Then the water goes to a holding tank. Finally, the water goes to storage tank.

Stacy J. Johnson

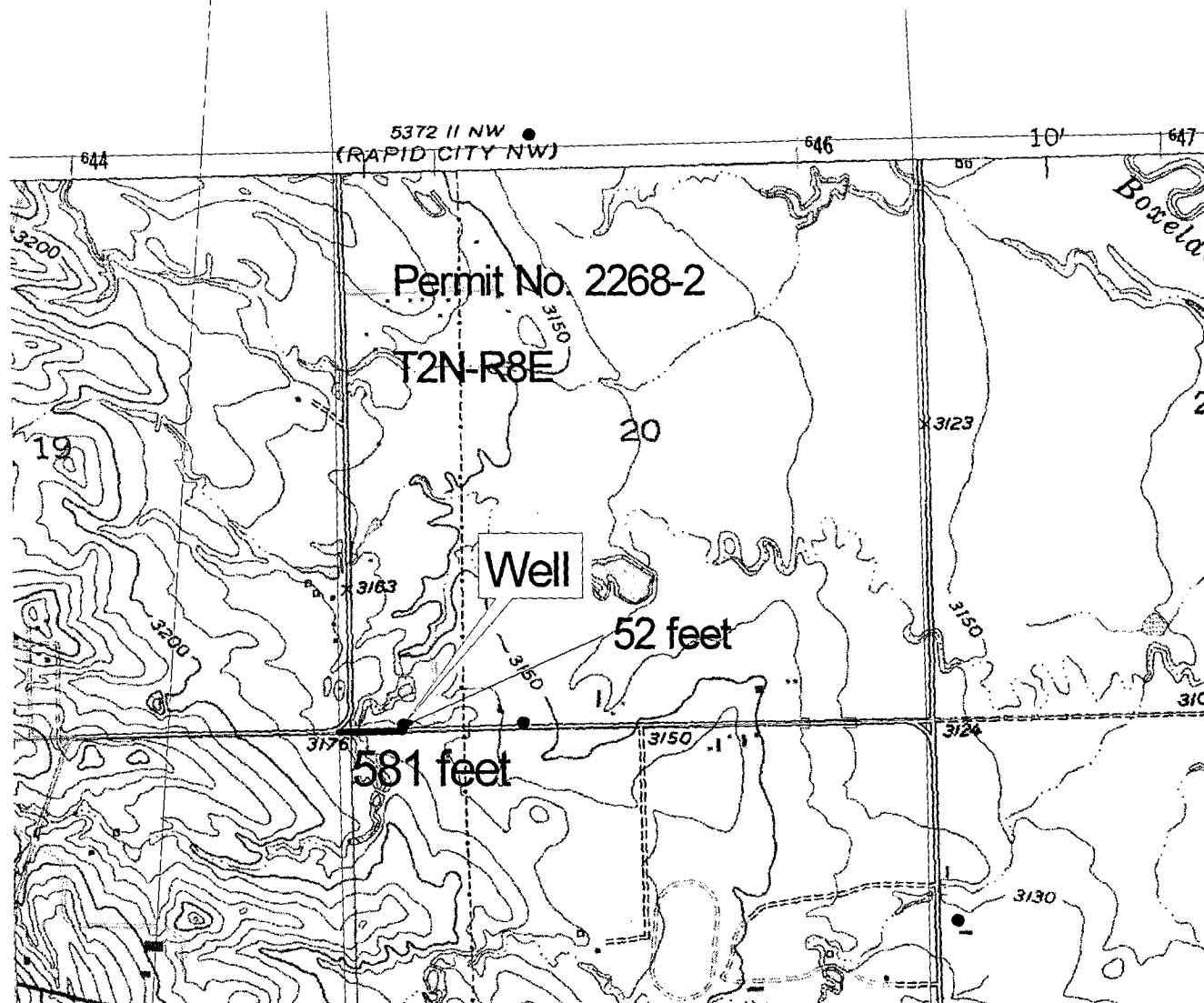
Stacy J. Johnson

Natural Resources Engineer

DENR, Water Rights Program

7-25-00

Date



Stacy J. Johnson 6-6-00
Stacy J. Johnson
Natural Resources Engineer
SD DENR Water Rights Program

0.4 0 0.4 0.8 Miles

2268-2

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2268-2

(1) Gary T Wolff, 1550 Seger Drive, Rapid City SD 57701 made Application No. 2268-2, December 28, 1992 for a water permit to divert 0.22 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for suburban housing development purposes. Permit No. 2268-2, with a priority date of March 9, 1993 was approved June 22, 1993 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 0.22 cubic feet of water per second for beneficial use. The location of the diversion point is 581 feet east and 52 feet north of the southwest corner of Section 20-T2N-R8E (SW ¼ SW 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 Prairie Acres Estates.

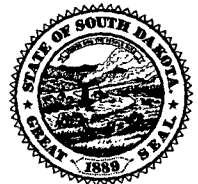
(4) Pursuant to South Dakota Water Law 46-5-30.1 Gary T Wolff, 1550 Seger Drive, Lot 80, Rapid City SD 57701 the holder and/or owner of Water Right No. 2268-2 is issued a license to appropriate water, the right to use 0.22 cubic feet of water per second from groundwater (one well) with a priority date of March 9, 1993 from the location specified in (2) of this license for suburban housing development purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2268-2 and subject to South Dakota State Law.



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

OCT 10 2000

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

OCT 10 2000

2268-2

Gary T Wolff
1550 Seger Drive
Lot 80
Rapid City SD 57701

Dear Mr. Wolff:

Enclosed is Water License No. 2268-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416578 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. 2268-2, 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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 28, 2006

No. 2268-2

Jana Eich
Prairie Acres Estates
1550 Seger Dr, #80
Rapid City SD 57701

Dear Ms. Eich:

Thank you for returning the 2005 SD Water Use Questionnaire. Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership/name change on Water Right No. 2268-2. The water right is currently listed in the name of Gary T Wolff.

The transfer form should be checked over for accuracy and signed by the new owner. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosure

2005 South Dakota Water Use Questionnaire

To:

GARY T WOLFF
PRAIRIE ACRES ESTATES, 1550 SEGER DRIVE #80
RAPID CITY SD 57701

Address correction requested:

Jana Eich
Prairie Acres Estates
1550 Seger Dr. #80
Rapid City, SD. 57701

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 2268-2. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER

County: PENNINGTON

Aquifer: INYAN KARA GROUP

Pumping Pt. Legal: SEC 20-T002N-R08E

Management Unit: NOT APPLICABLE

Type of Water Use: SUBURBAN HOUSING
DEVELOPMENT

- 1) Please estimate your year 2005 water use from the above water source: 12,000,000 gallons
- 2) If no water use in 2005, please list the reason(s) why in the comments section.

Comments: _____

Contact Person: Jana Eich

Telephone No: 605-343-0306



Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2005 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr

RECEIVED
APR 27 2006
WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP/NAME CHANGE

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED
MAY 12 2006
WATER RIGHTS
PROGRAM

No. 2268-2

Date: _____

I/We request that Water Right No. 2268-2

formerly owned by: Gary T Wolff

be transferred to: (name & address) ~~Jana Eich, Prairie Acres Estates, 1550 Seger Dr, #80,~~
~~Rapid City SD 57701~~ Prairie Acres, LLC, 2348 Carter Drive
Rapid City SD 57702 Telephone No. 605 343-0306

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

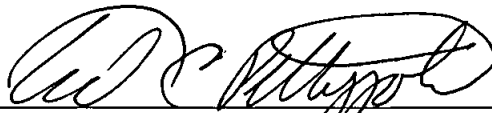
one well – SW ¼ SW ¼ Section 20-T2N-R8E

I/We understand that the validity of Water Right No. 2268-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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 Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Prairie Acres LLC, 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 May 12, 20 06

RECEIVED OF Prairie Acres LLC, 2348 Carter 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. _____		
Fee for Filing Transfer Form <u>2268-2</u>		2 50
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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

02439

By

Darlene E. Ehlke

Chief Engineer

[Signature]



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 16, 2006

2268-2

Ted C Pettyjohn
Prairie Acres LLC
2348 Carter Dr
Rapid City SD 57702

Dear Mr. Pettyjohn:

Thank you for following up on the ownership change for Water Right No. 2268-2. The transfer has been completed. The water right formerly listed in the name of Gary T Wolff is now listed in the name of Prairie Acres LLC.

Enclosed is your Receipt No. 02439 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure