

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. 2302-2 Hydrologic Unit 10120109
Basin Upper Cheyenne
Newspaper Custer Co Chronicle, Box 551, Custer
(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 ☐ Industrial ☐ Other _____
(over 18 gpm)

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 Eben W. Streeter Phone 833-2661
(check one) ☒ Owner ☐ Tenant/lessee

Mailing Address PO Box 36 Buffalo Gap State SD 57722
(Street, RR, or Box) (City) (Zip Code)

2. Amount of water claimed 0.033 *CFS or 15 **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 Madison Aquifer Well

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____
1 well located in the NW4NE4-Section 15 T6S. R6E
County Custer

5. County or counties where water will be used Custer and Fall River

6. Annual period during which water is to be used year round 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)

This well has been in existence since 1949, and used by Mr. Streeter for domestic purposes since that time. Now it is proposed to be used in a common distribution system that will serve 14 rural hookups.

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 Fall River)^{ss}

I, Eben W. Streeter, 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 Eben W. Streeter

Subscribed and sworn to before me this 3rd day of February 19 94

Clara M. Clay

Notary Public

My Commission Expires 8-25-97

**SOUTH DAKOTA
WATER PERMIT NO. 2302-2**

Date of first receipt of application February 7, 1994.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2302-2 to Eben W. Streeter, PO Box 36, Buffalo Gap SD 57722 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. 2302-2 appropriates 0.033 cubic feet of water per second (15 gallons per minute) from one well (Madison Formation) 939 feet deep located in the NW 1/4 NE 1/4 Section 15-T6S-R6E.
2. The water appropriated shall be used for the purpose of supplying water to common distribution system and may not exceed the amount of water needed for beneficial use for common distribution system 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. 2302-2 is April 4, 1994.
5. The date from which applicant may claim right is February 7, 1994.
6. One-fifth of the construction is to be completed on or before October 4, 1996.
7. All construction is to be completed on or before April 4, 1999.
8. Water is to be put to beneficial use on or before April 4, 2003.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Since the well requested by Permit No. 2302-2 has been in use since 1979 and the amount of water requested is only 15 gallons per minute, 1) no significant adverse hydrologic effects on the supply of water in the Madison Formation will result, and 2) issuance of this permit will not have a significant adverse effect on nearby Madison Formation wells or springs. Therefore, issuance of Permit No. 2302-2 as a permanent permit will not be in violation of SDCL 46-2A-20.
2. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

WATER MANAGEMENT BOARD

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

OCT 4 1994
date

Supplemental Information

(type or print in ink)

* 1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8" + 6" Depth 950'
- b) Casing Type STEEL Diameter 4" Thickness 3/8"
- 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) 950'
- g) Distance to nearest existing domestic well: FREE FLOWING

* Existing well drilled in 1949
no log or other information is
available.

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

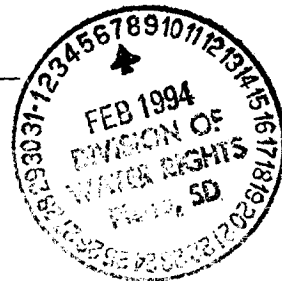
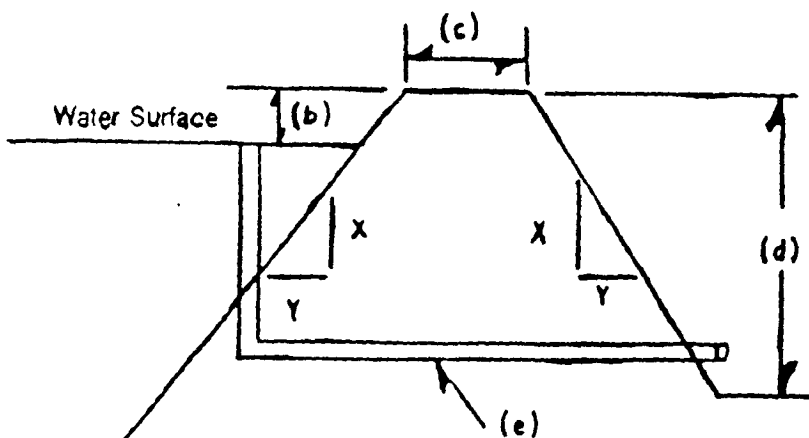
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



RECEIPT

414027

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ February 7, 19 94

RECEIVED OF Ben W Streeter, Box 36, Buffalo Gap, SD 57722

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

Fee for Application for Permit No. <u>2302-2</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 _____		

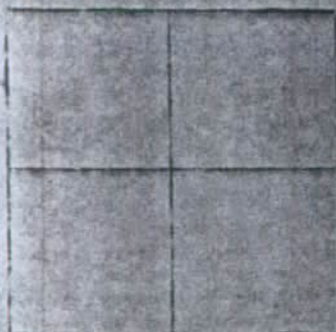
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

DRILLER'S FINAL REPORT

OFFICE OF STATE ENGINEER
Pierre, South DakotaWell No. _____
(do not fill in)CUSTER COUNTYLocation: NW NW $\frac{1}{4}$ Section 15 Twp. 6S Range 6EOwner Streeter Ranch Address Buffalo Gap, S. Dak.Depth 939 Drawdown _____ Type Rig Used _____Flow (gpm) 90 Pressure _____ Date Measured May 10, 1951

Grd. Elev. _____ Water Level Below Ground Surface _____

Temperature 108° F Character Water (soft, ~~hard~~, ~~brackish~~)Date Commenced _____ Date Completed Sept. 1949

Section _____

CASING DETAIL

Type	Size	Length	Depth
	8 5/8	575	575
	6 5/8	681	681
	5 1/2	280	939

PERFORATIONS

Type	Size	Length	Depth
		10'	929-939

SCREEN

Type	Size	Length	Depth
------	------	--------	-------

Is there a seal between different size pipes? _____ What kind? _____

WATER BEARING SANDS

From _____ To _____

The water is coming from the upper 10' (929-939) of the Pahasapa Limestone.

SOURCE OF INFORMATION

Mrs. Streeter

DRILLER'S LOG

From _____ To _____

This well is reduced to 1 1/2" rubber fire hose and a valve. When opened, the well will flow 90 gpm with approximately 28 psi. The closed in pressure is 37 1/2 psi, but according to the owner, the gauge registers about 4 to 5 psi to high. The ordinary use of the well is 2 gpm for stock watering.

WATER ANALYSIS AS GIVEN BY GUY FRARY, STATE CHEMIST.

	PPM	GR/GAL
Total solids	19.8	11.6
Alkalinity		
Phenolphthalein 9		0.5
Methyl Orange 163		9.5
SiO ₂	16.5	1.0
Ca	41	2.4
Mg	15.5	0.9
Hardness as CaCO ₃	166.2	9.7
Cl	24.7	1.4
SO ₄	9	0.5

Driller Vernon L. Baker
(Signature)Address McPherson, Kansas

TAKEN FROM:

SDGS R.I. No. 67

WELL BORINGS IN SD, 1948-1950

C.L. BAKER

CUSTER COUNTY

STREETER No. 1

J. E. Palensky, et al
Vernon Baker, Driller
Sec. 15, T. 6 S., R. 6 E.
Completed December, 1950

0-	25	Gravel, some anhydrite.
25-	40	Gravel, quartzite, feldspar, limestone, etc.
40-	45	Gravel and <u>Opeche</u> siltstone, dark salmon, fine.
45-	94	<u>Minnelusa</u> sandstone and siltstone, dark salmon fine grained with coarse etched rounded grains, mostly sandstone.
94-	105	Sand, soft, dark salmon.
105-	115	Sandstone, fine silty, dark salmon, with coarse etched grains.
115-	135	Softer sandstone, mostly fine, angular to subangular.
135-	157	Sandstone, firmer.
157-	170	Limestone, fine powdery, light pink grey, with sandstone.
170-	175	A little anhydrite in sandstone.
175-	188	Sandstone, some light salmon.
188-	192	Limestone, light grey fine powdery texture.
192-	214	Sandstone, soft.
214-	220	Sandstone, fine to silty, dark brown to red (salmon), limy cement.
220-	236	Sandstone, soft.
236-	252	Limestone, blue grey, finely crystalline, fossils, perhaps some sandstone.
252-	257	Probably sandstone, grey to pink, fine to silty, limy, white anhydrite, limestone.
257-	262	Siltstone, lavender to mauve, considerable salmon sandstone and grey limestone.
262-	270	Largely white anhydrite with limestone and sandstone as above, limestone vuggy.
270-	272	Dolomite, cherty, dark blue grey, sugary.
272-	274	Sandstone, bright red, angular to subangular.
274-	275	Sandstone and sugary dolomite.
275-	281	Dolomite, dark grey and anhydrite, white.
281-	284	Anhydrite with selenite, white.
284-	291	Dolomite, light brown grey, sugary, a little black shale.
291-	295	Dolomite and white anhydrite.
295-	307	Sandstone, lavender or pink, anhydrite cement below.
307-	313	Sandstone, lavender or pink, with much anhydrite and selenite, white.

313- 324	Sandstone, bright red, with large amount selenite.	56
324- 331	Siltstone, purple, and anhydrite, white.	57
331- 352	Sandstone, red, largely white anhydrite.	58
352- 359	Sandstone, light salmon.	58
359- 364	Dolomitic grey limestone, sandstone as above, a little dark grey shale.	58
364- 369	Sandstone, light salmon, and white anhydrite increasing downwards.	59
369- 372	Anhydrite, white.	59
372- 372	Large piece dark blue grey mudstone (hard).	59
372- 375	White anhydrite and sand.	61
375- 379	Anhydrite, white.	61
379- 393	Cavernous, light brown magnesian limestone.	62
393- 406	Limestone, dolomitic, silty, lavender, fine grained.	63
406- 412	Sandstone, soft, light salmon to pink, medium to coarse, limy some limestone as above.	63
412- 419	Sandstone, soft, light pink.	63
419- 426	Dolomite, lavender and grey, powdered sugar texture, fossiliferous, silty, some very fine and dense, dull luster.	63
426- 441	Same dolomite with some white anhydrite.	63
441- 453	Anhydrite, white.	63
453- 465	Dolomite, light grey fine sugary vuggy to dense, fossiliferous, some chert.	63
465- 474	Siltstone, lavender and pink.	63
474- 489	Anhydrite and selenite, white.	63
489- 500	Dolomite, light grey, fine sugary, vuggy, a little anhydrite. Sandy 498-500'. Small gas show at 494'.	7
500- 504	Sandstone, gas show.	7
504- 511	Red marker marked by purple mud, sandstone above with anhydrite matrix. Some dark grey shale and dark brown iron cemented sandstone.	7
511- 515	Bentonite, purple to grey, laminated, but mainly dolomite and sandstone.	7
515- 520	Red marker, clay, very thinly laminated, dark dull red and light grey.	7
528- 540	Limestone, almost crimson, well crystallized, some soft white anhydrite with colorless calcite, gypsum and quartz.	8
540- 547	Limestone, pink, passing down into sandstone, white and pink, limy, with some large etched grains.	8
547- 549	Sandstone, cream to pink, mostly dark pink, poorly sorted with many large subround etched grains.	8
549- 553	Sandstone, grey, dolomite and a little very dark grey mudstone.	8
553- 555	Sandstone as at 547-549'.	
555- 561	Sandstone as above but perhaps not so much	

		pink, soft, with secondary quartz.
561-	575	Sandstone, mostly dark pink, some light grey, much recrystallized.
575-	583	Sandstone, soft, buff, etched, medium to fine, considerable calcite.
583-	585	Sandstone, soft, buff, etched, medium fine, some pink limestone and a little milky chert.
585-	594	Chert, white, powdery textured, porcellaneous, and sandstone as above.
594-	599	Sandstone, light pink, limy.
599-	610	Sandstone, pinkish light grey, porous, pink calcite.
610-	616	Sandstone and clay, light salmon, with much calcite.
616-	628	Sandstone, pink with limestone, light grey, fine grained.
628-	639	Sandstone, pink, underlain by dolomite, light grey, fine earthy.
639-	650	Same with some chert, pink dogtooth spar.
650-	654	Dolomite, dark grey and yellowish, cherty.
654-	670	Dolomite and sandstone, grey.
670-	673	Same with black shale.
673-	675	Sandstone, soft with hole full of water.
675-	683	Increase in grey dolomite, black shale.
683-	705	Sand, fine angular, grey, some dolomite, grey, silty at base, with calcite in sand. Large amount black shale at 700-705'.
705-	749	Sand, light orange, much calcite, some light grey and pink limestone, fine grained, dense, and light pink vuggy limestone, some milky chert.
757-	767	Some sandstone but a large amount fine crystalline light pinkish grey limestone, sandstone has lime cement.
767-	785	Sandstone and siltstone, limy, lavender and cream, a little chert.
785-	792	Sandstone, fine grained, faint pink.
799-	814	Limestone, sandy, cream to light pink.
814-	837	Limestone, sandy, lavender.
837-	848	Sandstone, fine grained, light pink, limy cement.
848-	855	Siltstone, lavender, some bright light green, bentonitic, sand and calcite.
855-	867	Lateritic siltstone, sandy, dark dull purple, some dark brown red and light bluish green.
867-	871	Same with light grey, very fine grained limestone.
871-	883	Sand, creamy, many recrystallized grains, angular, medium sized.

- 883- 887 Sand, pink, and laterite clay, purple.
887- 893 Clay, reddish purple, some light greenish
grey.
893- 939 Laterite, clay with sand, a little pink
limestone, cream, very dense and fine
grained, orange, grey, maroon and yellow
mottled.
- 939 Madison limestone, white, dense, finely
crystalline, with grey chert.

Eben Struter well Buffalo Gap S.D

Eben has the original well log for casing size and depth. This is from memory of work Done

7" OD casing 4' to 650' or more
5½" OD casing 650' to 910'

Reamed with 4½" OD casing 903'
260' 4½" ^{OD} Plain End welded together
646' 4½" OD casing T&C

100' bags cement
80' Bags Bentonite

Some Pumped down inside of 4½" ^{OD} casing
Some Pumped down between 7" OD and 4½" OD casing.



DOWNEN DRILLING CO.
4480 UNIVERSAL DRIVE
RAPID CITY, SD 57702-9395
(605) 787-4525

Warren Downen

Eben Streeter

Buffalo Gap, SD 57722



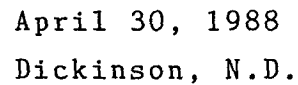
Repair Flowing well
903 4" steel casing
Labor & Machine time
Fittings for top of well

Tax

Re-cased oil test well
Beginning flow 60 GPM PSI -0
End flow 150 GPM PSI -23

(Thank you for

Streeter
Eben



Enclosed please find the original field log, two copies of it and the billing for the work. The South Dakota Geological Survey is going to furnish me with some additional data on the "hot" zones between 240' & 420'; and 640' & 760'. Over the phone one of their geologists told me that these zones are probably sandstones, and that they probably correspond with the areas being mined at Edgemont. (ie. uranium)

On further reflection during this past week I've come to the conclusion that the bad area at 240' must be due to a casing collapse, and not to the casing having shifted, or sheered. This is the only explanation which can allow for the total lack of caliper response on the regular geophysical log. The caliper is quite sensitive, and I know it to be in good working order.

As to the video logs, I hope they have been of use to you and apologize for the problems; especially leaving the lights in the hole. I hope the reduction in price on the final billing will be sufficient for you.

Please keep me informed on how this well does. At any rate, I'll probably contact you in a couple of weeks when I get more information on the sandstones in the area.

Thanks for the work; I'm always looking for an excuse to drive to the Black Hills. If you have any questions or comments, please feel free to contact me.

Sincerely,

Mark Spitzer

Dakota Geophysics

P.O. Box 2015

Dickinson, N.D.

58601

Ph: (701) 225-0381

Map Location #17

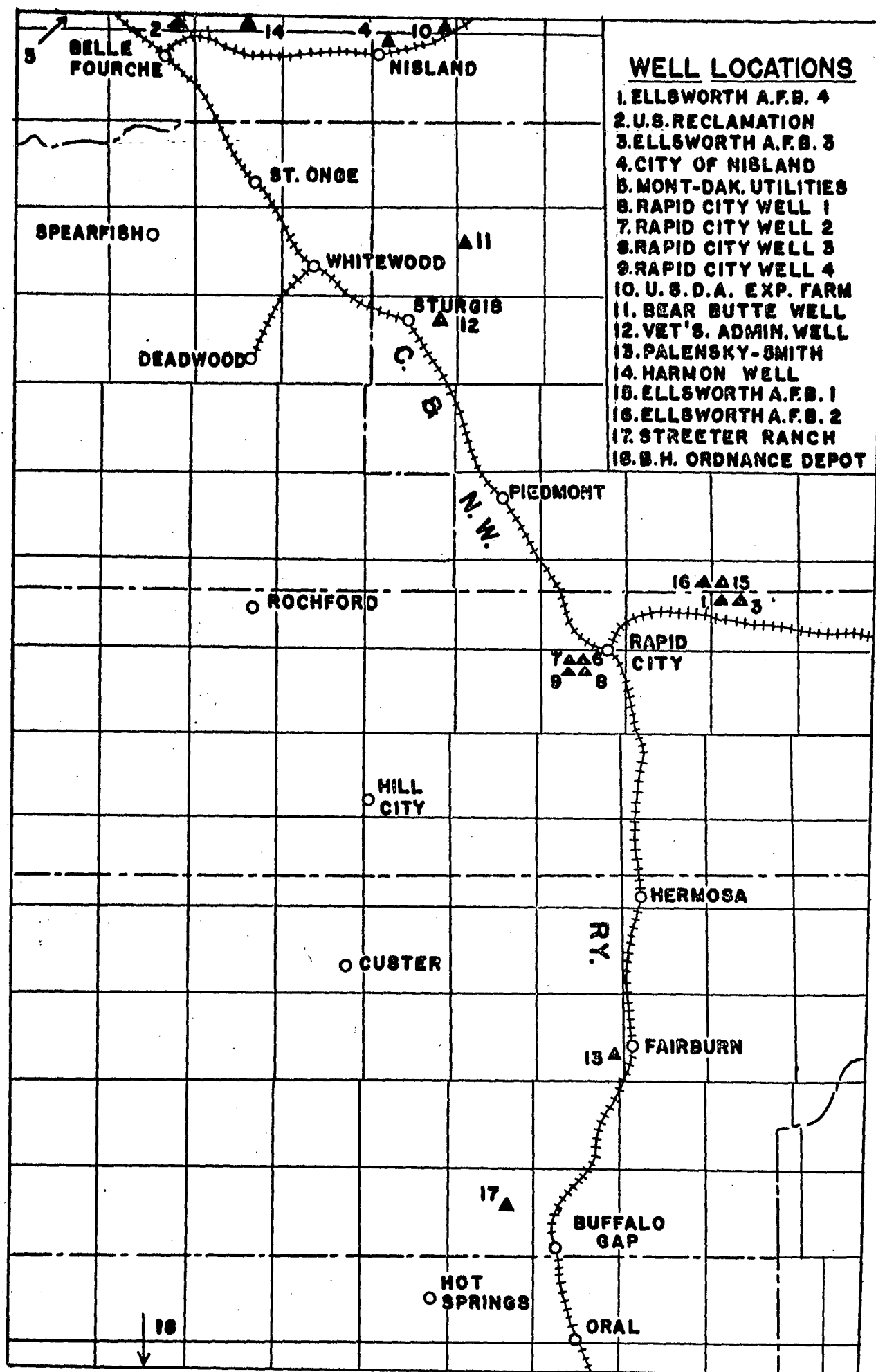


STREETER RANCH WELL

Location Sec. 15, T 6 S., R 6 E., NW 1/4
 When drilled (year) 1949
 Drilling method. Cable tool
 Depth 939 feet
 Producing formation Pahasapa
 Yield of water 90 gallons per minute
 Temperature 108 degrees Fahrenheit (Hot water)

Quality of water:

	Parts per million	Grains per gallon
Calcium	41.0	2.39
Chloride	24.7	1.44
Sodium and potassium . .	538.0	31.37
Sulfate	9.0	0.52
Magnesium	15.5	0.90
Bicarbonate	205.0	11.95
Hardness (CaCO ₃)	166.2	9.69



DAKOTA GEOPHYSICS

P. O. Box 2015
Dickinson, ND 58601

LOG TYPES

- ☒ "HI-REZ" COAL
☐ E-LOG
☐ NEUTRON
☐ TEMPERATURE

FILING NO.

COMPANY Ebon Streeter

WELL Artesian Well

FIELD Buffalo Gap

COUNTY Custer STATE S.D.

LOCATION:

SEC 15 TWP 6 S. RGE 6 E.

OTHER SERVICES:

PERMANENT DATUM Ground Level ☒ Cement Elev.

LOG MEASURED FROM Ground Level ☒ Pad Ft. above perm. datum

DRILLING MEASURED FROM Ground Level ☒ Top Surface

ELEV. K.B.

D.F.

G.L.

DATE 4-23-88

RUN NO. One

TYPE LOG Hi-Rez

DEPTH-DRILLER 900 plus

DEPTH-LOGGER 894'

BOTTOM LOGGED INTERVAL 894'

TOP LOGGED INTERVAL 10'

TYPE FLUID IN HOLE H₂O

SALINITY, PPM CL

DENSITY

LEVEL Full

MAX REC TEMP, DEG F.

OPERATING RIG TIME

BIT SIZE

CASING 7" + 5"

LOGGING SPEED ft./min. 25

RECORDED BY ☒ MARK SPITZER

WITNESSED BY Ebon Streeter

DRILLED BY

FOLD HERE

EQUIPMENT DATA

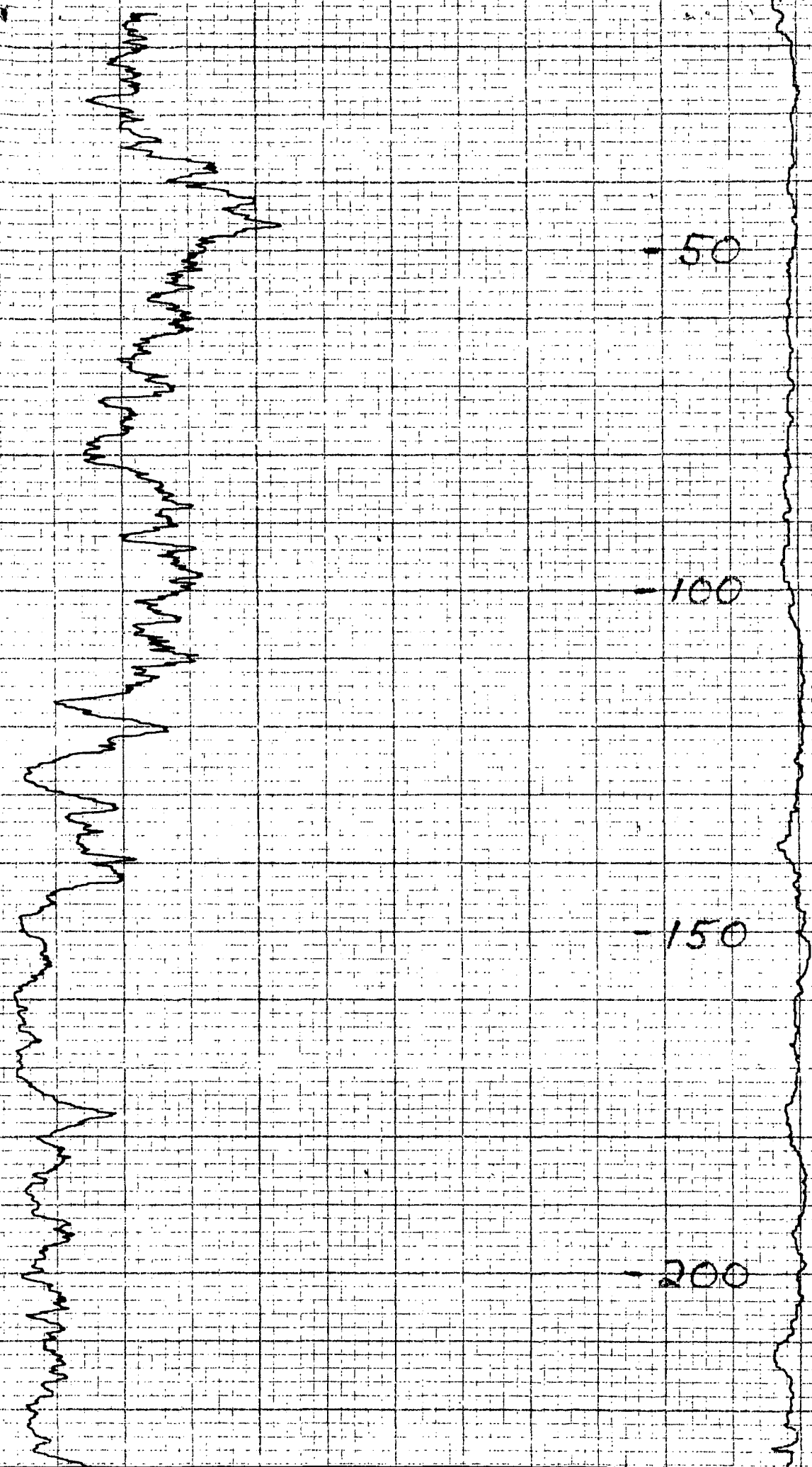
EQUIPMENT DATA							
RUN NO.				RUN NO.			
TOOL MODEL NO.				LOG TYPE			
DIAMETER				TOOL MODEL NO.			
DETECTOR MODEL NO.				DIAMETER			
TYPE				DETECTOR MODEL NO.			
LENGTH				TYPE			
DISTANCE TO N SOURCE				LENGTH			
				SOURCE MODEL NO.			
GENERAL				SERIAL NO.			
HOIST TRUCK NO.				SPACING			
INSTRUMENT TRUCK NO.				TYPE			
TOOL SERIAL NO.				STRENGTH			

REMARKS

Probe with 1 1/4" O.D. unable to pass beyond 230' for second Gamma run.

Cement Pad Top Surface is 5.5 feet above top of casing. Video depths were set to zero on casing, not cement.

5" casing and 7" casing meet at 623 feet.



GAMMA RAY

DENSITY

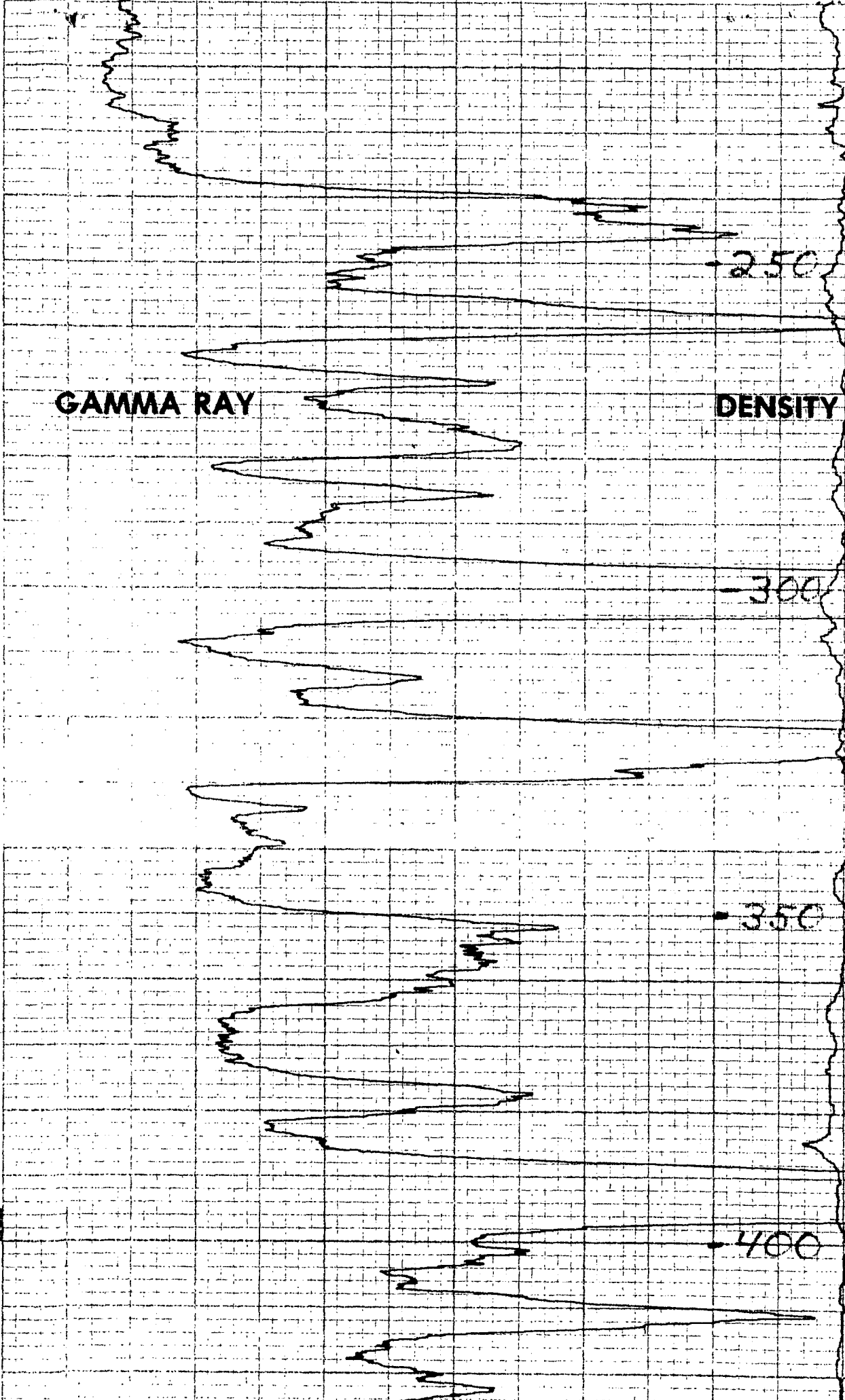
CA

250

300

350

400



NO. 00-0012-008

NO. 00-0012-008

GAMMA RAY

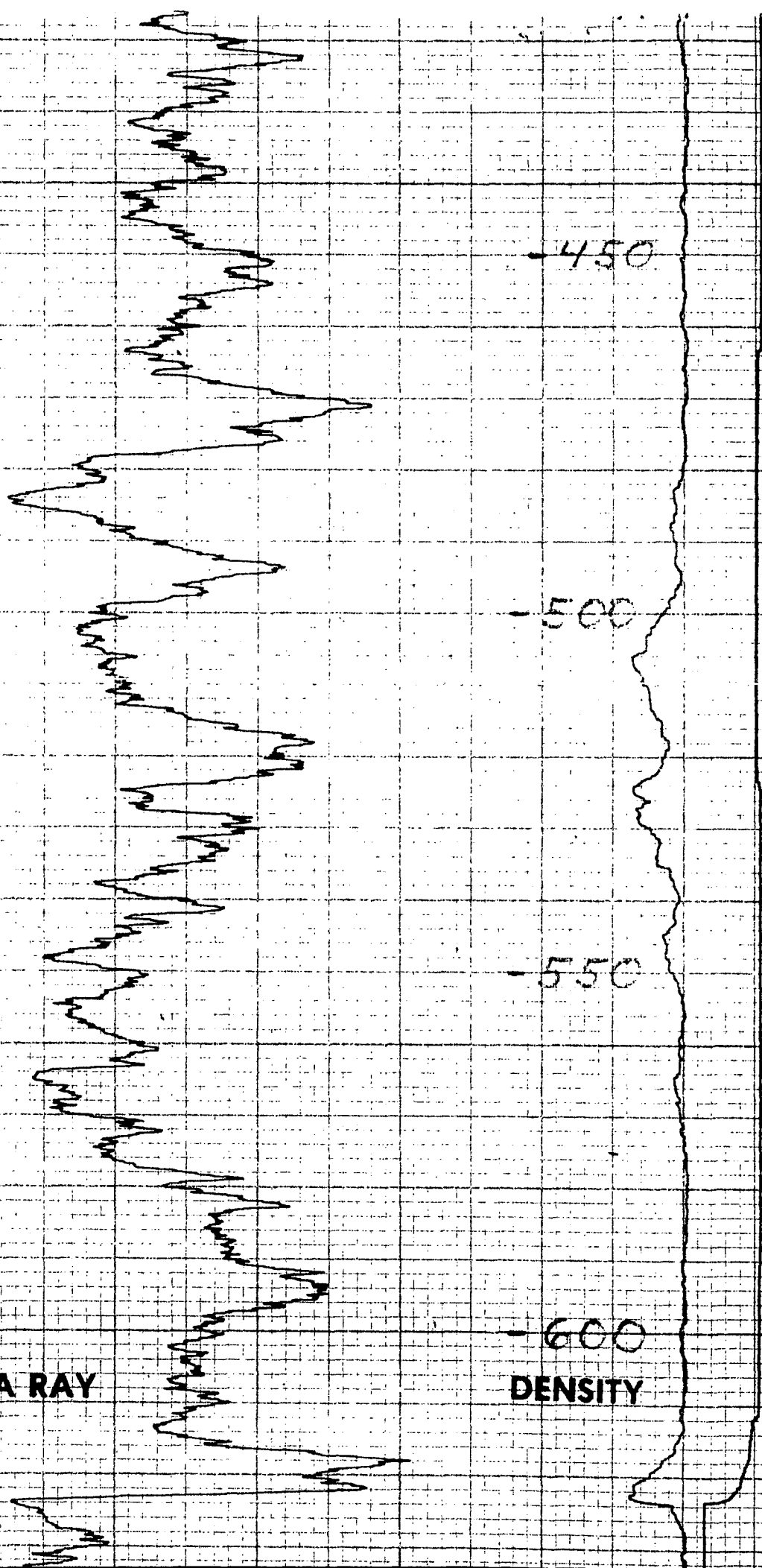
DENSITY

-450

-500

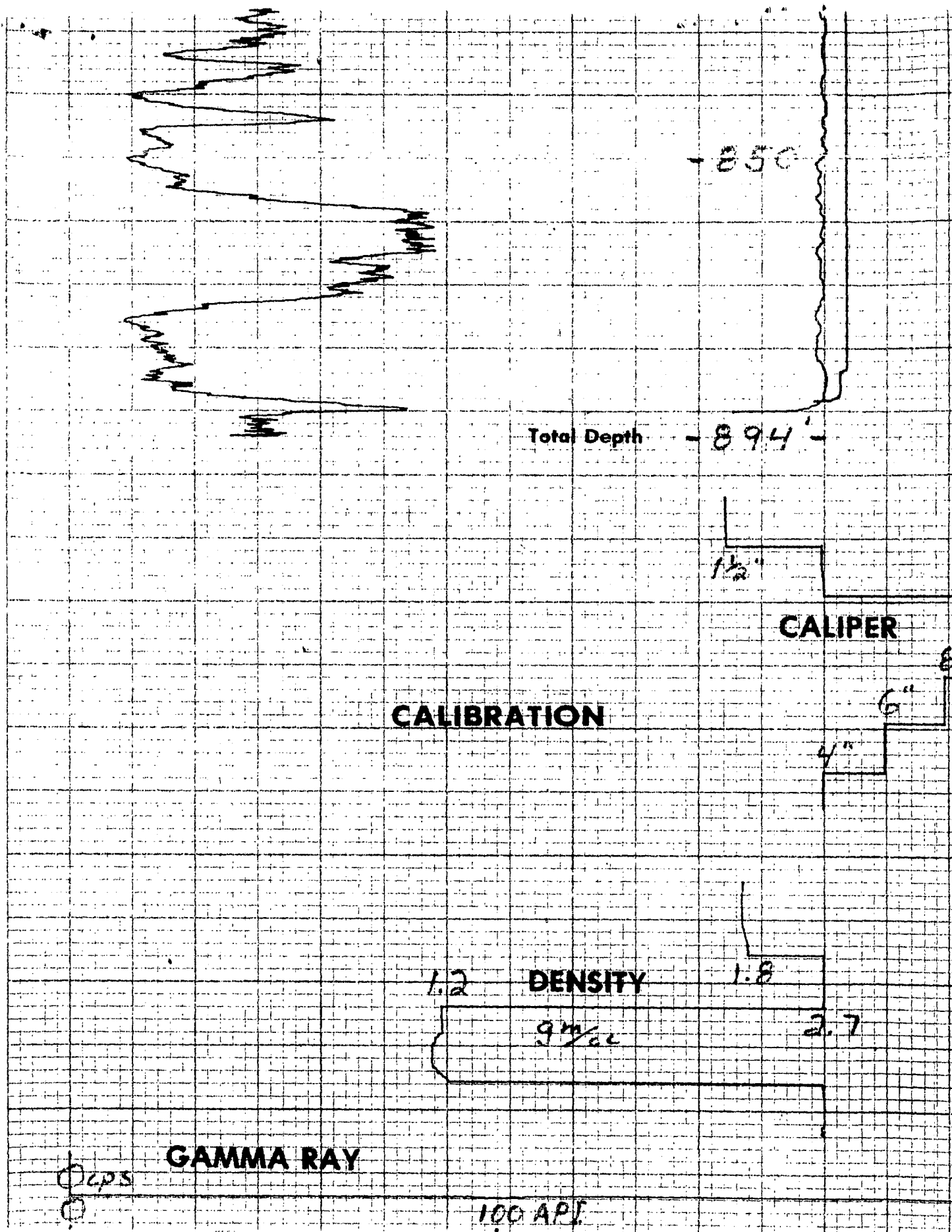
-550

-600



A hand-drawn geological profile on grid paper. The profile is drawn with a jagged line on the left and a straight line on the right. Horizontal lines are drawn across the profile at different elevations, labeled on the right side as -650, -700, -750, and -800. The profile shows a hill with a peak around -650 and a dip around -750.

300-2740-00 01





SCS-CONS-261 Rev. 5-71
File Code B&F-14



CONSERVATION PLAN

UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE

cooperating with

CUSTER County

Conservation District

Owner EBEN W. STREETER

Operator SAME

Plan No. _____

Scale 8" = 1 MILE
Approximate

Date 2/94

Acres _____
Approximate

Photo No. _____

CUSTER
County

SD
State

Assisted By

Sary D. Kruse
DISTRICT CONSERVATIONIST, HOT SPRINGS FIELD OFFICE

Location NW⁴NE⁴-15-T6S-R6E

2302-5

REPORT ON APPLICATION NO. 2302-2
for Eben W. Streeter
February 15, 1994

Application No. 2302-2 proposes to appropriate 0.033 cfs (15 gpm) from one well approximately 939 feet deep located in the NW 1/4 NE 1/4 of section 15, T6S R6E in Custer County. The water is for use in a common distribution system located in Custer and Fall River Counties.

AQUIFER - MADISON (MDSN)

The Madison is a massive white to gray limestone which is approximately 300 feet thick in this area (Allen, 1984). The aquifer underlies 736,640 acres and contains an estimated 9.2 million acre feet of recoverable water in storage in Custer County (Allen, 1984). The aquifer is areally extensive around the entire Black Hills and is hydraulically connected into Pennington County to the north and into Fall River County to the south. The aquifer is confined and under artesian conditions at this site.

The Division of Water Rights has two observation wells, CU-91A and CU-91B, Madison and Minnelusa Formations, located about 2 miles west of this application. Water levels for these wells do appear to fluctuate due to climatic conditions but the period of record is not sufficient for evaluation. Hydrographs for these wells are included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1994).

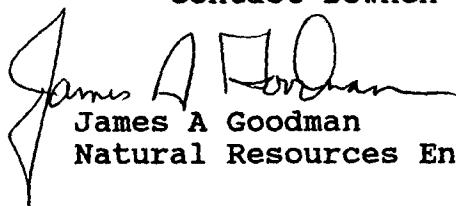
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing Water Right No. 419-2 (Wind Cave) for a Madison well located about 3 miles northwest of this application. Interference is not expected to be a concern. Both of these wells have been in existence for many years with no apparent problems. Also, there is a large spring on Beaver Creek located about 1/2 mile south of this application. It does not appear that the Madison Formation is supplying water to this spring although the potential exists (higher water levels in the Madison than in the Minnelusa) at this site. It is not anticipated that the proposed diversions will adversely affect the spring.

CONCLUSIONS

1. Water is available from the Madison Formation.
2. The aquifer is confined and under artesian conditions. This is a free flowing well at land surface and must be controlled to minimize the waste of water.

3. Drawdown will occur as a result of diversions from this well. This should not adversely affect any other user or springs in the area.
4. Technically this use (because of the small diversion rate) does not require a water permit. However, the applicant has the right to apply for and obtain a water permit.
5. SDCL 46-2A-20 requires a 20 year term limit on all Madison Formation water permits.
6. Very little well completion information was supplied with the application. However, a geologic log was obtained from a SDGS publication and well construction information was obtained from Water Right files. This data has been included in the water permit file. Even so, there is not sufficient information to determine if this well has been completed in accordance with SD Well Construction Standards. Also the permit application indicates that the well is cased with 4 inch steel and the construction information available in Water Rights files indicates 5 1/2 inch casing. The well may have been relined at some point and grouted. On February 16, 1994, Mrs. Streeter reported to me by phone that she thought that Warren Downen of Downen Drilling of Rapid City had relined the well a few years ago when it began leaking. This all makes sense and when I am able to contact Downen this question may be answered.



James A Goodman
Natural Resources Engineer

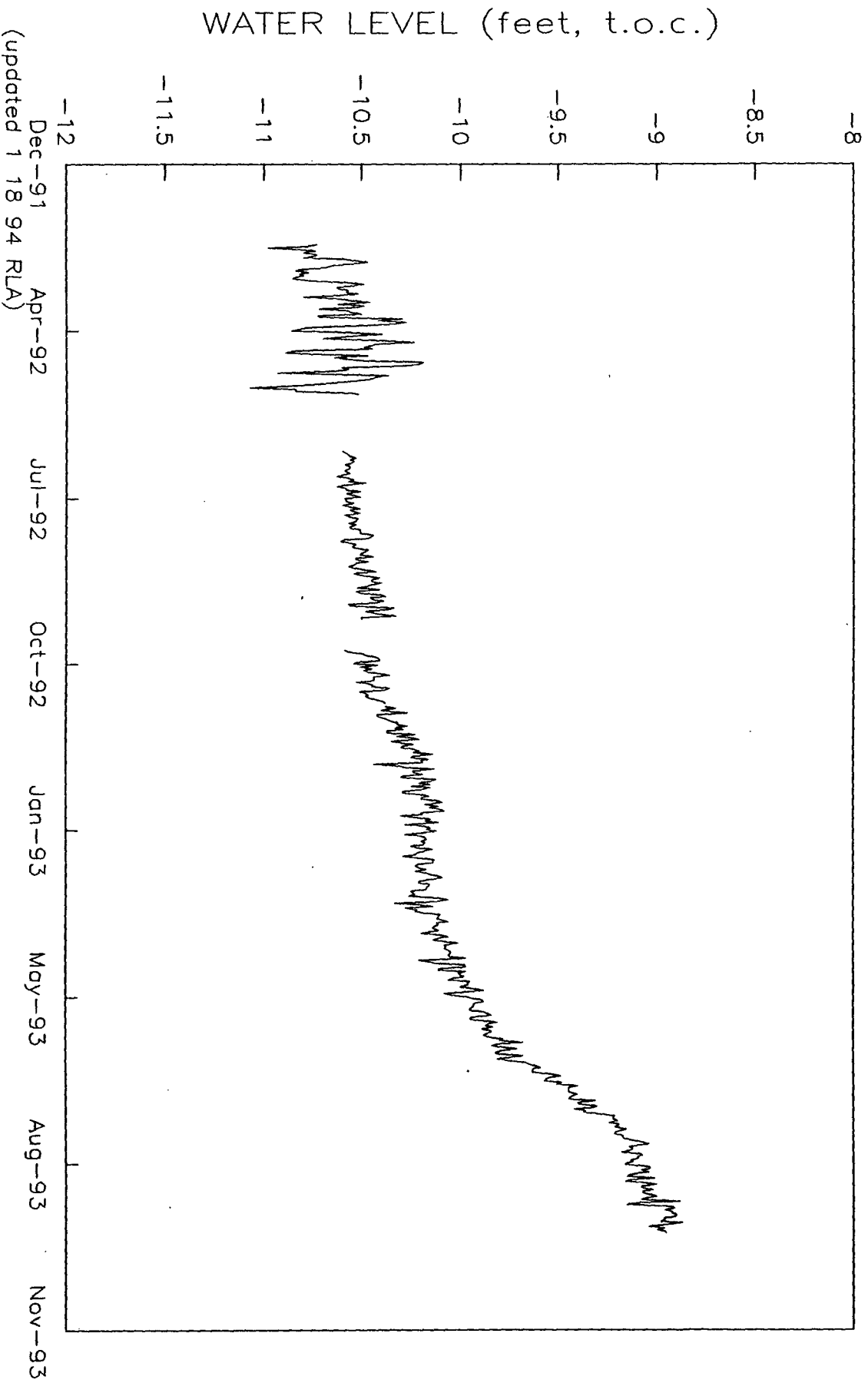
BIBLIOGRAPHY

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.

Water Rights, 1994, Unpublished Observation Well Data for Custer County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

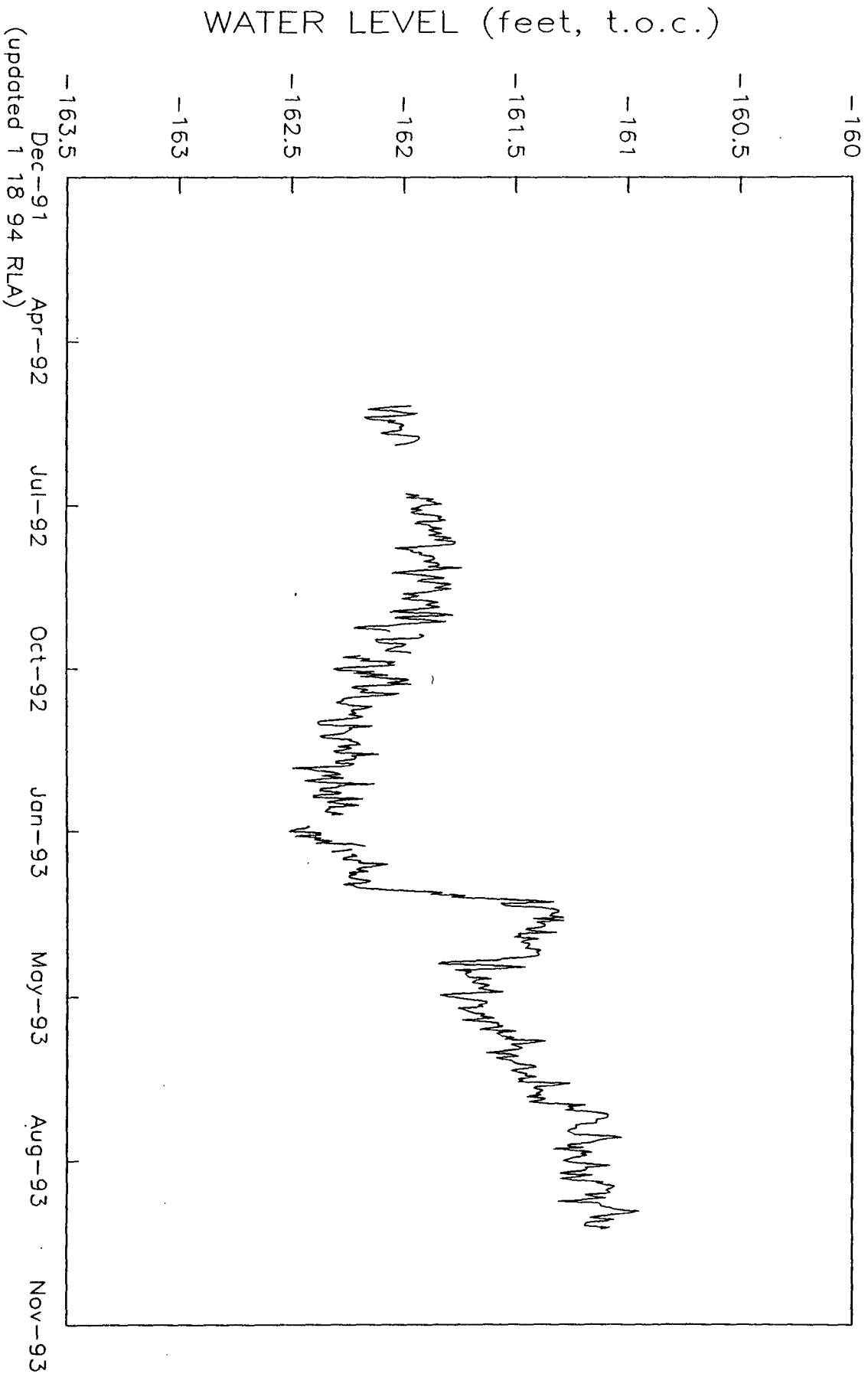
WATER RIGHTS OBSERVATION WELL

CU-91A



WATER RIGHTS OBSERVATION WELL

CU-91B



WATER PERMIT NO. 2302-2

Phone: 833-2661

Name of Applicant: ^b Eden W. Streeter

Post Office Address: PO Box 36, Buffalo Gap SD 57722

Amount of Water Claimed: 0.033 cfs (15 gpm) Total Acres: _____

Source of Water Supply: groundwater (one well)

Water to be used for: common distribution system County: Custer

About 5 miles NW of Buffalo Gap

PRIORITY Date Received: 2-7-94 Fee: \$50.00 Remarks: _____

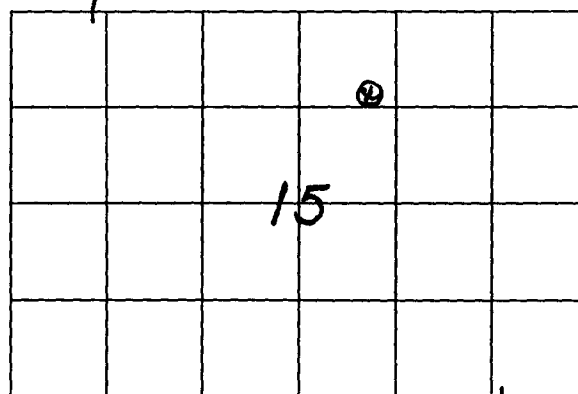
Corrected Application Received: _____ Period of Annual Use: Jan 1- Dec 31

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

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

Diversion Point: NW 1/4 NE 1/4 Sec 15-T6S-R6E

Land to be Irrigated: _____



Well Log: Driller: not known Licensed YES _____ NO _____

Depth of Well: 950 feet REMARKS: well drilled in approximately 1949

Type of Map: aerial PREPARED BY: Gary D. Kruse Reviewed and the Number

Assigned on: 2-7-94 By: Karen Schlaak

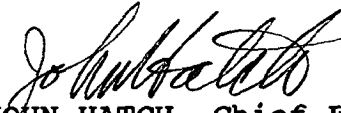
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2302-2, Eben W. Streeter

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. 2302-2, Eben W. Streeter, PO Box 36, Buffalo Gap, SD 57722.

The Chief Engineer is recommending APPROVAL of Application No. 2302-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. Since the well requested by Application No. 2302-2 has been in use since 1979 and the amount of water requested is only 15 gallons per minute, 1) no significant adverse hydrologic effects on the supply of water in the Madison Formation will result, and 2) issuance of this permit will not have a significant adverse effect on nearby Madison Formation wells or springs. Therefore, issuance of Permit No. 2302-2 as a permanent permit will not be in violation of SDCL 46-2A-20.
2. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

See report on application for additional information.


JOHN HATCH, Chief Engineer
March 4, 1994



**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 NEWSPAPERS RIGHT AWAY.**

March 4, 1994

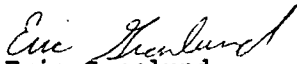
Eben W. Streeter
PO Box 36
Buffalo Gap, SD 57722

Dear Mr. Streeter:

Water Permit Application No. 2302-2 for common distribution system 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 publishers of the Custer Co. Chronicle printed at Custer, SD (Ph # 673-2217) and Hot Springs Star printed at Hot Springs, SD (Ph # 745-4170). 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 newspapers to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the papers can eliminate delays. The publishers have 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 newspapers have 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

March 4, 1994

Hot Springs Star
Box 1000
Hot Springs, SD 57747-1000

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2302-2 to be published twice. Please publish the first notice on March 15, 1994, 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 Eben W. Streeter, PO Box 36, Buffalo Gap, SD 57722 (Ph # 833-2661).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 4, 1994

Custer Co. Chronicle
Box 551
Custer, SD 57730-0551

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2302-2 to be published twice. Please publish the first notice on March 16, 1994, 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 Eben W. Streeter, PO Box 36, Buffalo Gap, SD 57722 (Ph # 833-2661).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

March 16

Instruction to Newspaper - Publish first Notice on March 15, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2302-3 to Appropriate Water

Notice is given that Eben W. Streeter, PO Box 36, Buffalo Gap, SD 57722 has filed an application for a water permit to appropriate 0.033 cubic feet of water per second (15 gallons per minute) from one well (Madison Formation) 939 feet deep located in the NW 1/4 NE 1/4 Section 15-T6S-R6E. This water is for use in a common distribution system located in Custer and Fall River counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2302-2 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting 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 April 4, 1994.

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. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Fall River) ssI, Gregory R. Corr

certify that the attached printed Notice was

taken from the Hot Springs Starprinted and published in Hot SpringsCounty of Fall River and State ofSouth Dakota. The notice was published in
the newspaper on the following two dates:March 15, 1994March 22, 1994Cost of Printing: \$31.01

(Signature)

Publisher

(Title)

March 22, 1994

(Date Signed)

59

NOTICE OF APPLICATION NO.

2302-3 to Appropriate Water

Notice is given that Eben W. Streeter, PO Box 36, Buffalo Gap, SD 57722 has filed an application for a water permit to appropriate 0.033 cubic feet of water per second (15 gallons per minute) from one well (Madison Formation) 939 feet deep located in the NW 1/4 NE 1/4 Section 15-T6S-R6E. This water is for use in a common distribution system located in Custer and Fall River counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2302-2 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting 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 April 4, 1994.

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. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

Mar. 15, 22

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Custer) ss



I, Terri Tuggle

certify that the attached printed Notice was

taken from the Custer Co

Chronicle

printed and published in Custer

County of Custer and State of

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

3/17/94

3/24/94

Cost of Printing: 40.83

Terri Tuggle
(Signature)

Publisher
(Title)

3-28-94
(Date Signed)

NOTICE OF APPLICATION TO APPROPRIATE WATER

NO. 2302-2
Notice is given that Eben W. Streeter, P.O. Box 36, Buffalo Gap, SD 57722 has filed an application for a water permit to appropriate 0.033 cubic feet of water per second (15 gallons per minute) from one well (Madison Formation) 939 feet deep located in the NW 1/4 NE 1/4 Section 15-T6S-R6E. This water is for use in a common distribution system located in Custer and Fall River counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2302-2 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting 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 April 4, 1994.

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. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.
3754, 3/17, 3/24



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 4 1994

Eben W. Streeter
PO Box 36
Buffalo Gap, SD 57722

Dear Mr. Streeter:

Enclosed is Water Permit No. 2302-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 12, 2001

2302-2

Eben W Streeter
PO Box 36
Buffalo Gap, SD 57722-0036

Dear Mr. Streeter:

On August 13, 2001, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2302-2, was completed by Donald 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 me.

Sincerely,

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources



416920

Pierre, September 17, 2001

RECEIVED OF Eben W Streeter, PO Box 36, Buffalo Gap, SD 57722-0036

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. 2302-2

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. 2302-2
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: **Eben W. Streeter, PO Box 36, Buffalo Gap, SD 57722**

Report Of Examination Of Works

On **August 13, 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 free flowing well to supply a common distribution system and bearing the priority date of February 7, 1994.

This well was completed in 1949 and has been in use since 1979 for domestic purposes. In 1994 a permit was issued for a common distribution system purpose. The well is **3960 feet East and 1055 feet South of the NW Corner of Section 15 T6S R6E (N43° 31.952' W103° 23.188')**. According to Mr. Streeter, this well was capable of approximately 110 gallons per minute (gpm) @ 30 to 32 psi when last checked about 10 years ago and from his observations the flow and pressure has not decreased. Valves are installed on the distribution system and flow is controlled.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by: **Well is not equipped with a working pressure gage.**
- 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: **As noted in #1.**

Report On the Specifics of the System

Diversion Point Information:

- | | |
|--|------------------------------------|
| 1) Well Drilling Firm: Vernon Baker | 2) No. of Wells: 1 |
| 3) Depth(s): 939 feet | 4) Well logs available: Yes |

Casing:

- 1) Diameter: **Originally 7 inch to approximately 650 feet, then 5.5 inch to 910 feet. Was relined with 4.5 inch line and grouted.**
- 2) Length: **910 feet**
- 3) Type: **Steel**

Screen:

- | | |
|----------------------------------|----------------------|
| 1) Type: None | 2) Length: NA |
| 3) Static water level: NA | |

Distribution System:

- 1) Type: **1.5 inch valved rubber hose @ well site. Two (2) inch PVC line to ranch house.**
- 2) Length: **2 inch line approximate 1950 feet**

COMMENTS:

Well water is only used at the Streeter Ranch for domestic purposes and by several local residents for drinking water. Local residents obtain water at the well site through the 1.5 inch valved hose. No distribution system, other than to the Streeter Ranch, has been developed nor is one to be developed. Mr. Streeter estimates the daily average use for domestic purposes is less than 18 gpm. This well should be considered a domestic use water source.


Donald E. Stroup

Natural Resources Project Engineer
DENR, Water Rights Program

9/20/01
Date

STATE OF SOUTH DAKOTA

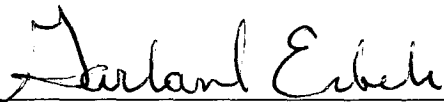
WATER LICENSE NO. 2302-2

(1) Eben W Streeter, PO Box 36, Buffalo Gap, SD 57722 made Application No. 2302-2, February 7, 1994 for a water permit to divert 0.033 cubic feet of water per second from ground water (one well – Madison Formation), Custer County, South Dakota for a common distribution system. Permit No. 2302-2, with a priority date of February 7, 1994 was approved April 4, 1994 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 4, 1999 and for the application to beneficial use of said water on or before April 4, 2003.

(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 0.033 cubic feet of water per second for beneficial use. The location of the diversion point is 3,960'E and 1,055'S of the NW corner of Section 15, T6S, R6E (NW ¼ NE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. The water is used for domestic purposes at the Streeter Ranch. Several local residents obtain water at the well site for drinking water purposes.

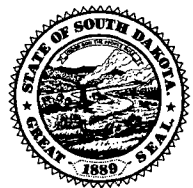
(4) Pursuant to South Dakota Water Law 46-5-30.1 Eben W Streeter, PO Box 36, Buffalo Gap, SD 57722 the holder and/or owner of Water Right No. 2302-2 is issued a license to appropriate water, the right to use 0.033 cubic feet of water per second from ground water (one well – Madison Formation) with a priority date of April 4, 1994 from the location specified in (2) of this license, for common distribution system purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2302-2 and subject to South Dakota State Law.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 24 2001

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 24 2001

2302-2

Eben W. Streeter
PO Box 36
Buffalo Gap, SD 57722

Dear Mr. Streeter:

Enclosed is Water License No. 2302-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416920 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. 2302-2, 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

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 22, 2016

No. 2302-2
2546-2

Bill Streeter
Streeter Family Limited Partnership
4462 Thompson Parkway
Johnstown CO 80534

Dear Mr. Streeter:

On February 22, 2016 the investigation of the water use system, including the extent of application of water to beneficial use, as developed under the permits connected with the "Streeter Well" located in the NW 1/4 NE 1/4 Section 15-T6S-R6E was completed by Steven Quissell, a staff engineer with our program. A licensed water right is similar to a property right that cannot be lost as long as the water use continues and you abide by the permit requirements.

Prior to issuance of the water license, the associated permits need to be transferred to the proper owners. Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right No. 2302-2 and Water Permit No. 2546-3. The water permits are currently listed in the name of Eben W Streeter.

The transfer forms should be checked over for accuracy and signed by the new owner. Upon completion, return the forms to our office with a required filing fee of \$50.00 each (\$100.00 total).

Upon receipt of the transfer forms and fee, we will continue with the process of issuing the water license for this water use and well.

If you have any questions, please contact Steve Quissell at 605 394-6763 or me.

Sincerely,

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

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/4, 2016

RECEIVED OF Streeter Family Ltd Partnership 5151 W 29th St # 1605 Gre~~at~~ley CO 80634

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 <u>2302-2</u>		
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	50 00

No. 07803

By James Goodwin Jr
Chief Engineer

RECEIVED

APR - 4 2016

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2302-2

Date: 3/24/16 X

I/We request that Water Right No. 2302-2

formerly owned by: Eben W Streeter

X be transferred to: (name & address) Streeter Family Limited Partnership
4462 Thompson Parkway
Johnstown Co 80534 Telephone No. 970-302-8094

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

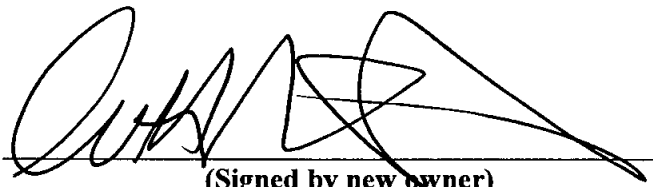
one well located in the NW 1/4 NE 1/4 Section 15-T6S-R6E for a common distribution system

I/We understand that the validity of Water Right No. 2302-2 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 Fifty Dollars (\$50.00) 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 Streeter Family LP the new owner, certify that the above information is true and correct.

X 
(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.



2302-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

2302-2
2546-2
2634-2

JUN 29 2016

Streeter Family Limited Partnership
c/o Bill Streeter
4462 Thompson Parkway
Johnston CO 80534

Dear Mr. Streeter:

Enclosed is Water License No. 2634-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed are the receipts for payment of the Notice of Transfer of Ownership on Nos. 2302-2 and 2546-2. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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. 2634-2, 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

Note: The applicable portions of Nos. 2302-2 and 2546-2 are incorporated into Water License No. 2634-2.

enclosures

c: Don Peterson, Manager
Southern Black Hills Water System