

WATER PERMIT NO. 2358-2

Name of Applicant: Garry Schrank Home 574-2305

Address: Box 603, Hill City SD 57745

Phone: 605 574-2418 Crooked Creek Campground

Amount of Water Claimed: 12 gpm (0.026 cfs)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial use

County: Pennington

Type of Waste Disposal System: septic & drainfield

Location: 1 mile south of Hill City

PRIORITY

Date Received: 4-15-96

Fee: \$50.00

Corrected Application Received:

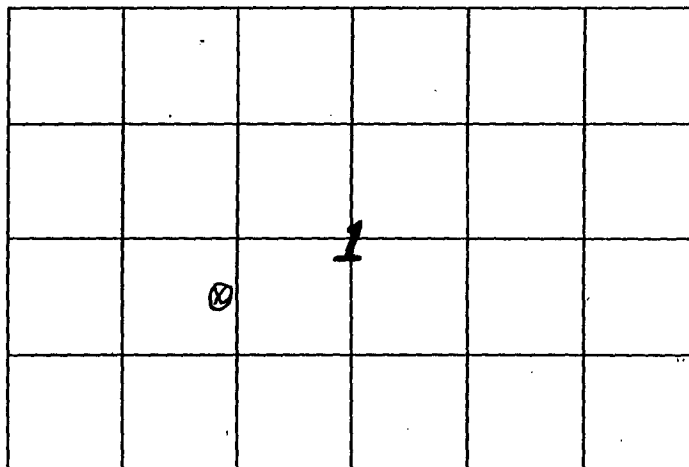
Period of Annual Use: May 1 - September 30

Remarks: For use in recreational vehicle park. Has existing Permit No. ²²³¹⁻²2358-2 for Crooked Creek Resort.

Diversion Point: NW 1/4 SW 1/4

Section 1-T2S-R4E

Land to be Irrigated: NA



Depth of Well: 120 feet

Well Driller: Hamm Drilling

Remarks:

Type of Map: topo

Prepared by: DelRon Peters

Reviewed and the Number Assigned on: 4-15-96

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

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. 2358-2 Hydrologic Unit 10/20109
Basin Upper Cheyenne
Newspaper Pennington Co. Precaution News, Hill City, SD
(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.) _____

- Name of Applicant Garry Schrank Phone 574-2718
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address Box 608 Hill City State SD (57745)
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 0.027 *CFS or 12 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Precambrian well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) NW 1/4 SW 1/4 Section 1
T2S-R-4E BHM 2100' North & 1220' East of SW corner Section 1
T2S-R-4E County Pennington
- County or counties where water will be used PENN
- Annual period during which water is to be used MAY 1 thru SEPT 30
- 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)
long term R-1 PARK - (monthly rentals)

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 Pennington) SS

I, Garry Schrank, 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 Garry Schrank

Subscribed and sworn to before me this 12 day of April 19 96

Betty K. Martin

Notary Public

my com. expires Oct 24, 2000

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

well log is on file DVP

- a) Drill Hole Diameter 8 Depth 120'
- b) Casing Type PVC Diameter 6" Thickness _____
- c) Screen Type open hole construction Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 1
- f) Depth to Water (ground surface to water level) 3'
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others 500'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) septic + drain field
- b) System Capacity (gallons) 1000 c) Year Constructed 1992
- d) Connected to the City of _____ Sanitary System.



3. Dugout Information

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

4. 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

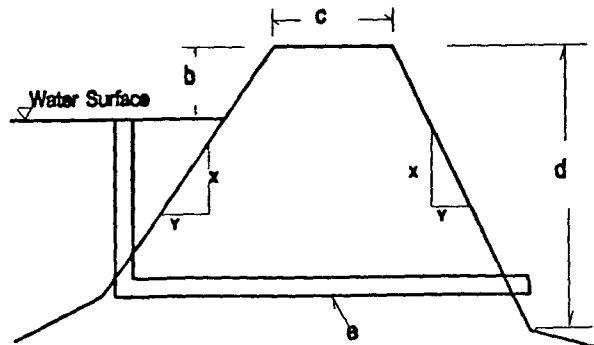
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



SOUTH DAKOTA
WATER PERMIT NO. 2358-2

Date of first receipt of application April 15, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2358-2 to Garry Schrank, Box 603, Hill City SD 57745 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. 2358-2 appropriates 0.027 cubic feet of water per second (12 gallons per minute) from one well (Precambrian Rock) 165 feet deep located in the NW 1/4 SW 1/4 Section 1-T2S-R4E.
2. The water appropriated shall be used for the purpose of supplying water for a recreational vehicle park and may not exceed the amount of water needed for beneficial use for commercial use.
3. The water is to be used during the following described annual period: May 1 -September 30.
4. The date of approval of Permit No. 2358-2 is June 3, 1996.
5. The date from which applicant may claim right is April 15, 1996.
6. One-fifth of the construction is to be completed on or before November 3, 1998.
7. All construction is to be completed on or before June 3, 2001.
8. Water is to be put to beneficial use on or before June 3, 2005.
9. 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

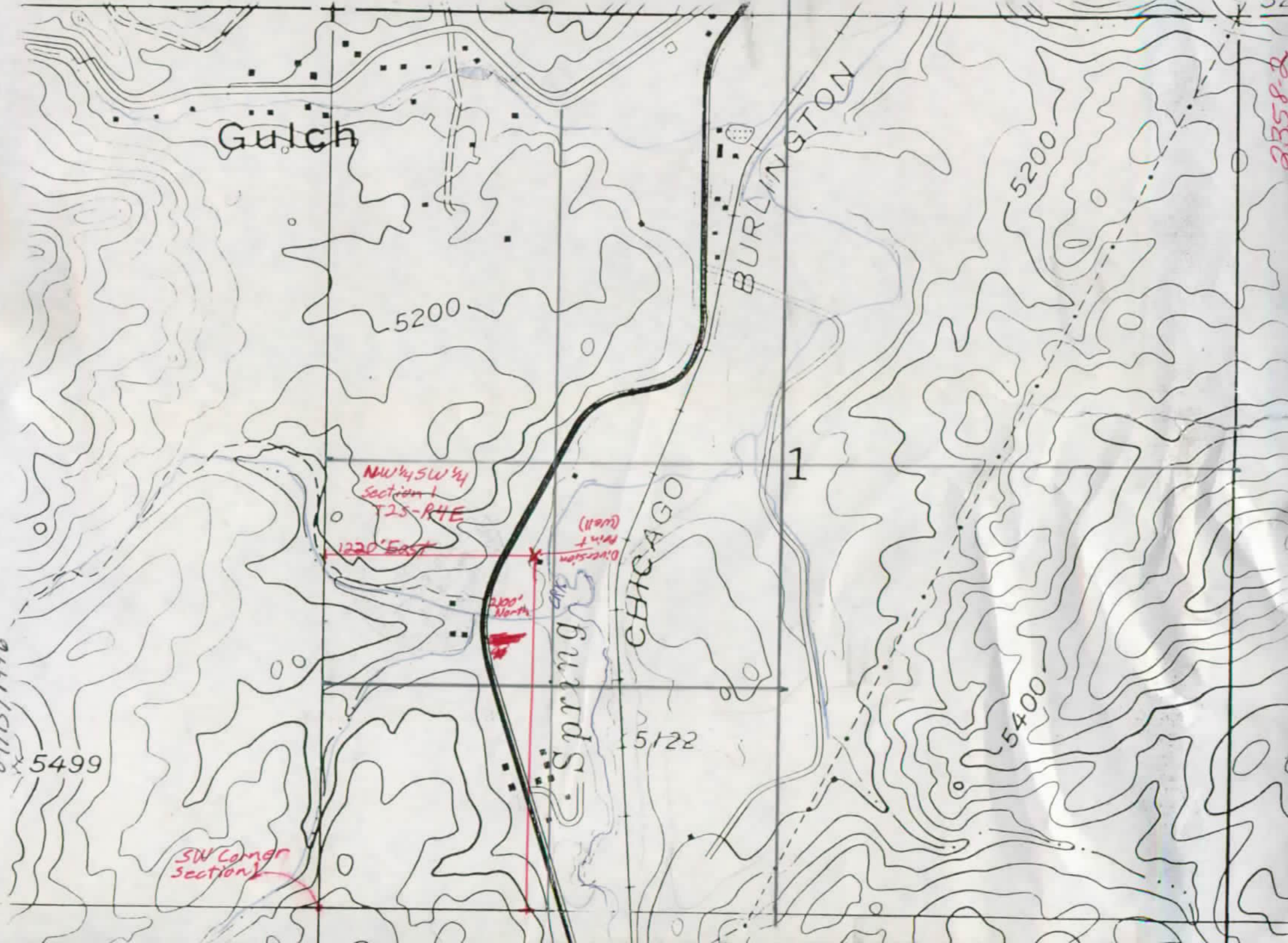
By: John Hatch
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 2 1996

date



DeRon Peters
Natural Resources Engineer II
DENR
04/13/1996



2358-2

RECEIPT

Division of Water Rights

414905

South Dakota Department of Environment and Natural Resources

Pierre, _____ April 15, 19 96

RECEIVED OF Crooked Creek Resort, Garry Schrank, P.O. Box 603, Hill City, SD 57745

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

Fee for Application for Permit No. <u>23582</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

REPORT ON WATER PERMIT APPLICATION NO. 2358-2
for Garry Schrank
April 25, 1996

Application No. 2358-2 proposes to appropriate 0.027 cfs (12 gpm) from one well approximately 165 feet deep located in the NW 1/4 SW 1/4 of Section 1, T2S-RE BHM in Pennington County. The water is for commercial use at a recreational vehicle park.

AQUIFER - PRECAMBRIAN ROCK (CRSL)

The Precambrian rock in this area consists of thin bedded muscovite rich schist and phyllite (Redden, 1975). The rock is unconfined and under water table conditions. Ground water is found within fractures and natural foliations within the rock type. Well yields are typically small and unpredictable. The driller's log submitted with the application indicates mica schist from 18 to 165 feet below land surface. The well as completed was capable of producing 9 gpm using air to develop and had a static water level of 35 feet below land surface. The well is completed in accordance with SD Well Construction Standards. Ground water probably moves towards Spring Creek which could act as a recharge or discharge zone although most of the time it is probably a discharge zone for ground water.

The Water Rights Program does not monitor any observation wells completed into the Precambrian rock in this area. Ground water levels do respond to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. There is no historical water level information for this area available.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water permit is No. 2231-2 located about one-quarter mile south of this application. This permit is also held by the applicant. Interference is not expected to be a concern. The pumping rates are all relatively small and drawdown created by pumping will not be significant.

CONCLUSIONS

1. Water is available from the Precambrian rock.
2. Interference is not a concern. The diversion rate is relatively small and drawdown caused by pumping should not be significant.
3. The well for this application is completed in accordance with SD Well Construction Standards.
4. Wastewater is disposed of through a septic tank and drainfield.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

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

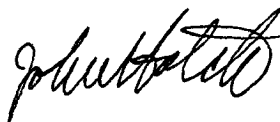
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2358-2, Garry Schrank

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2358-2, Garry Schrank, Box 603, Hill City, SD 57745.

The Chief Engineer is recommending APPROVAL of Application No. 2358-2 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 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.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized, cursive script.

JOHN HATCH, Chief Engineer
May 2, 1996



**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 3, 1996

Garry Schrank
Box 603
Hill City, SD 57745

Dear Mr. Schrank:

Water Permit Application No. 2358-2 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Pennington Co. Prevalier News printed at Hill City, SD (Ph # (605) 574-2538). 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 3, 1996

Pennington Co. Prevalier News
Box 266
Hill City, SD 57745-0266

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2358-2 to be published twice. Please publish the first notice on May 15, 1996, 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 Garry Schrank, Box 603, Hill City, SD 57745 (Ph # (605) 574-2418).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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 Program
Joe Foss Building
Pierre SD 57501-3181

No. 2358-2

Date _____

We are in receipt of your letter of May 3, 1996 enclosing Notice of Hearing to Appropriate Water by Application No. 2358-2 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 15, 1996, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2358-2 to Appropriate Water

Notice is given that Garry Schrank, Box 603, Hill City, SD 57745 has filed an application for a water permit to appropriate 0.027 cubic feet of water per second (12 gallons per minute) from one well (Precambrian Rock) 165 feet deep located in the NW 1/4 SW 1/4 Section 1-T2S-R4E. The water is for commercial use at a recreational vehicle park.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2358-2 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 Program, 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 3, 1996.

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 Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

) SS.

COUNTY OF PENNINGTON

Terrl Tuggle, of said county, being duly sworn, on oath says that she is publisher or business manager of the PENNINGTON COUNTY PREVAILER-NEWS, a weekly newspaper printed and published in Hill City, said County of Pennington, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of business; that the

Dept. of Environ. & Natural Resources

Notice of Hearing on App No. 2358-2

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once each week for 2 successive week(s), on which said newspaper was regularly published, to wit:

May 8, 19 96 ;

May 15, 19 96 ;

_____, 19 _____ ;

_____, 19 _____ ;

_____, 19 _____ ;

as stipulated in SDCL 17-2-2.1 through 17-2-2.4 inclusive; the full amount of the fees for the publication of the annexed notice is:

\$ 39.42

x Lateicia M. Lembke

Subscribed and sworn to me this 16th day of

May, 19 96

Debra K. Matkins

Notary Public

My commission expires: Oct 24, 2000

NOTICE OF APPLICATION NO. 2358-2 To Appropriate Water

Notice is given that Gary Schrank, Box 603, Hill City, SD 57745 has filed an application for a water permit to appropriate 0.027 cubic feet of water per second (12 gallons per minute) from one well (Precambrian Rock) 165 feet deep located in the NW 1/4 SW 1/4 Section 1-T2S-R4E. The water is for commercial use at a recreational vehicle park.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2358-2 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 Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's

mailing address is given above. A petition file by either an interested person or the applicant must be filed by June 3, 1996.

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 Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.
#2164, 5-8, 5-15-96





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

Garry Schrank
Box 603
Hill City, SD 57745

Dear Mr. Schrank:

Enclosed is Water Permit No. 2358-2 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 Program
605 773-3352

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

MAR 13 2012

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 2358-2Date: 4-15-96I/We request that Water Right/Permit No. 2358-2 formerly owned by:Garry Schrank

be transferred to:

New Owner Name: Victor E. + Rita PohribnakAddress: 24162 Hwy 385 PO Box 674City, State, Zip Hill City, SD 57745 Telephone No. 605-574 2305

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

☒ I understand that the validity of Water Right/Permit No. 2358-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

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

I, Victor E + Rita Pohribnak, the new owner, certify that the above information is true and correct.

Victor E. Pohribnak Rita Pohribnak
(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 3/13, 20 12

RECEIVED OF Victor Pohribnak PO Box 674 Hill City SD 57745

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>2358-2</u>		
Fee for _____	50	00
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. **05375**

By *Paul E. Erbe*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

March 19, 2012

2358-2

Victor E & Rita Pohribnak
24162 Hwy 385
PO Box 675
Hill City SD 57745

Dear Mr. & Mrs. Pohribnak:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Permit No. 2358-2.

The ownership change has been completed. Water Permit No. 2358-2, formerly held by Garry Schrank is now listed in your names.

Enclosed for your records is Receipt No. 05375 in the amount of \$50.00. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 2358-2

I have this day, **October 21, 2015**, made a thorough examination of the water use system constructed by **Victor Pohribnak** of Permit No. **2358-2**, bearing the priority of **4/15/1996** authorizing the diversion of **.03** cu. ft. per second of the waters from a single well for **commercial** purposes, in **Pennington** County.

Inspection contact & relationship
to permit holder, if applicable:

Rita Pohribnak, Co-Owner
24162 Hwy 385
PO Box 674, Hill City, SD 57745
605-574- 2305

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Hamm Drilling (1992)
- 2) No. of Wells 1
- 3) Depth(s) 165 feet
- 4) Well log Yes

Casing:

- 1) Diameter 6"
- 2) Length 40 feet
- 3) Type Plastic

Screen:

- 1) Type N/A
- 2) Length N/A feet
- 3) Static water level 35 feet

Pump:

- 1) Make AY McDonald
- 2) Model 21075K3
- 3) Size 4"
- 4) Capacity est. 9 GPM (this pump is rated at 10 gpm but is discharging approx. 9 gpm @ estimated drawdown)
- 5) Press @ Well Head 65 PSI

Motor: HP rating 3/4 hp

B. Works used to transport water to place of use:

- 1) Type PE pipeline
- 2) Size 1 1/2" inches
- 3) Length -- feet

Comments: xxxx

C. Works used to apply water to beneficial use:

Pipeline distribution system for household use and 15 site campground. (Creekside Mt. Resort)

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by : Yes
- 2) Exceptions to compliance are: none

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows:
Lat/Lon – N43.90351° W103.59374° which is located approximately 2,185 feet north and 1,120 feet east of the SW corner of Section 1, T2S, R4E.
2. The works are capable of diverting and conveying to the place of use .02 cu. ft. per second (9 gpm) of water which is to be used for domestic and commercial use and the license should be issued for .02 cfs.
3. All structures, wells and lands on map Yes

F. Comments or other permit(s) associated with the project:



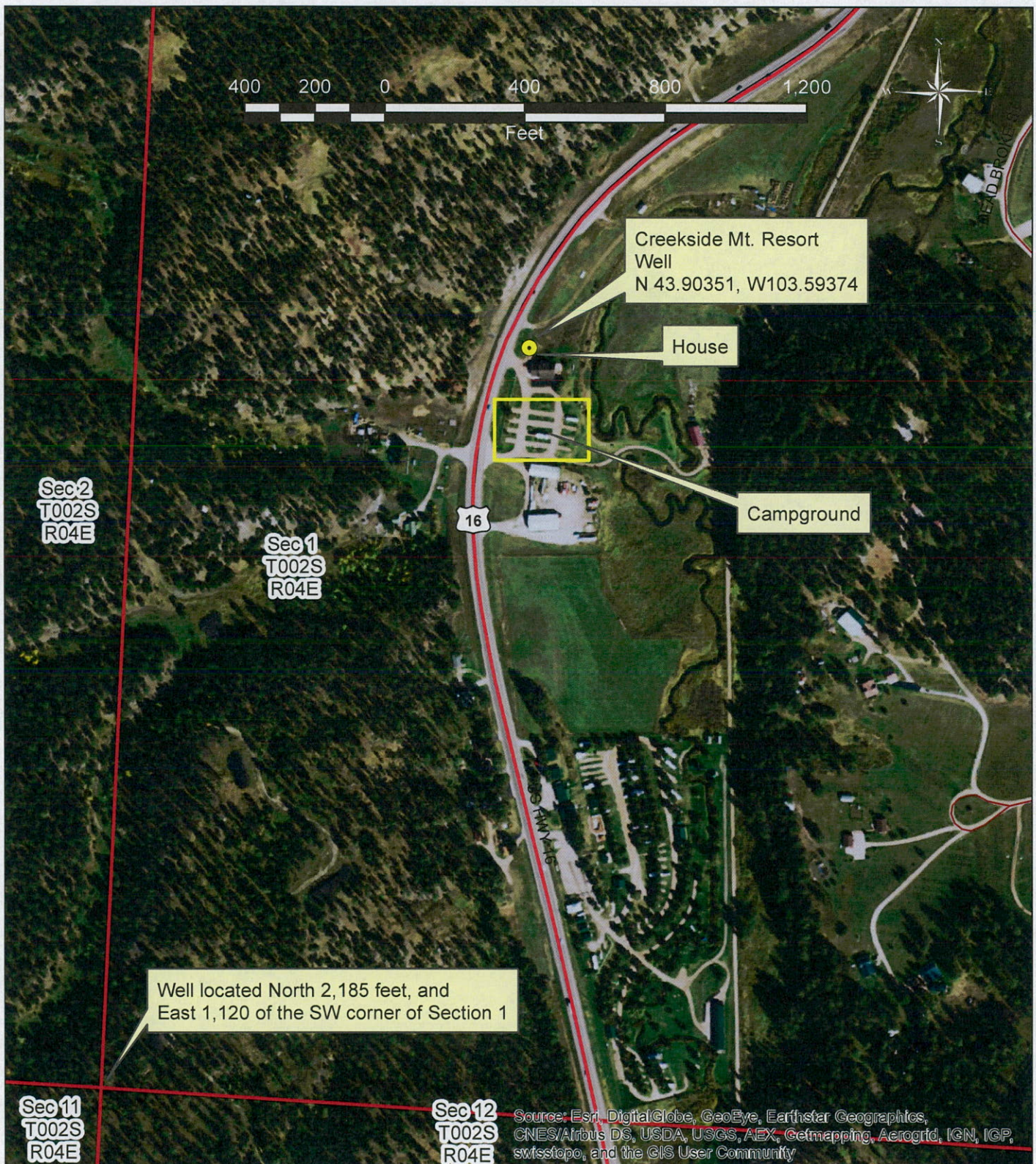
Steven Quissell
Water Rights Inspector
DENR, Water Rights Program

Date report completed: 10/22/2015



Victor & Rita Pohribnak well (Creekside Mt. Resort)

Water Right #2358-2
Victor & Rita Pohribnak
10/22/2015



Steven Quissell

Steven Quissell
Water Rights Inspector
DENR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 28, 2015

2358-2

Victor & Rota Pohribnak
24162 Hwy 385
PO Box 674
Hill City SD 57745

Dear Mr. & Mrs. Pohribnak:

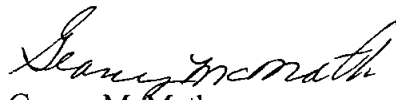
On October 21, 2015 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2358-2, was completed by Steve Quissell, in our program. Your final water right document, the water license, can now be issued.

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,


Genny McMath
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/4, 2015

RECEIVED OF Victor Pohribnak

PO Box 674

Hill City SD 57745

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. <u>2358-2</u>		
Fee for Filing Transfer Form _____		
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. 07516

By Jeanne Goodman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

DEC 22 2015

2358-2

Victor E & Rita Pohribnak
PO Box 674
Hill City SD 57745

Dear Sir:

Enclosed is Water License No. 2358-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 07516 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2358-2

(1) Garry Schrank, Hill City SD made Application No. 2358-2, April 15, 1996 for a water permit to divert 0.027 cubic feet of water per second from one well-Precambrian Rock Aquifer, Pennington County, South Dakota for commercial purposes. Permit No. 2358-2, with a priority date of April 15, 1996 was approved June 3, 1996 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 3, 2001 and for the application to beneficial use of water on or before June 3, 2005.

On March 13, 2012, Water Permit No. 2358-2 was transferred to Victor E & Rita Pohribnak, 24162 Hwy 385, PO Box 674, Hill City SD 57745.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holders and/or owners of Water Right No. 2358-2 is issued a license, bearing a priority date of April 15, 1996 to appropriate 0.02 cubic feet of water per second (9 gallons per minute) from one well-Precambrian Aquifer for commercial use at Creekside Mt. Resort.

The diversion point is located: approximately 2,185 feet N and 1,120 feet E of the SW corner of Section 1-T2S-R4E (NW 1/4 SW 1/4).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2358-2 including the following 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.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 22 2015
date

