

WATER PERMIT NO. 2412-2

Name of Applicant: James A Ridings

Address: HCR 32 Box 104, Ft Pierre SD

Phone: **605 223-2943**

Amount of Water Claimed: 0.167cfs (75 gpm)

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: livestock & domestic use

County: Lyman and Stanley

Type of Waste Disposal System: NA

Location: 12 miles southeast of Ft. Pierre

PRIORITY Date Received: 6-17-1998

Fee: **\$150.00**

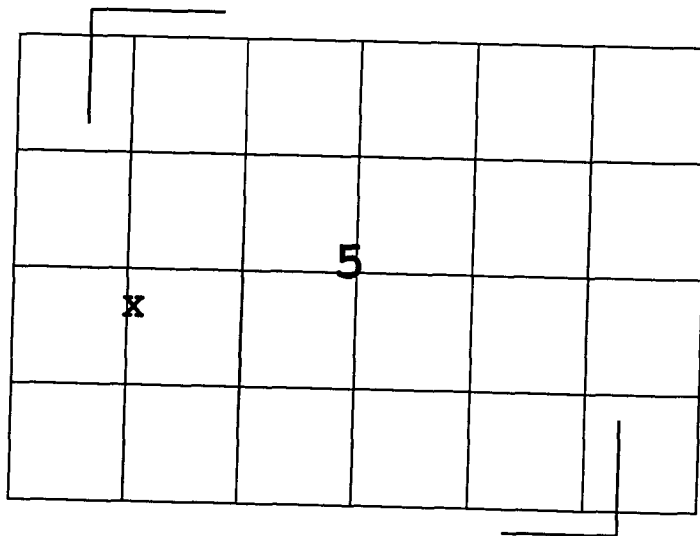
Corrected Application Received:

Period of Annual Use: **January 1 – December 31**

Remarks:

Diversion Point: NW ¼ SW ¼ Sec 5-T108N-R78W

Land to be Irrigated:



Depth of Well: **1977 feet**

Well Driller: **Sather Drilling**

Remarks:

Type of Map: aerial

Prepared by: **Glenn Morcurek, USFS**

Reviewed and the Number Assigned on: 6-17-1998

By: **Karen Schlaak**

Notice of Hearing - date to intervene:

**SOUTH DAKOTA
WATER PERMIT NO. 2412-2**

Date of first receipt of application June 17, 1998.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2412-2 to James A Ridings, HCR 32 Box 104, Ft. Pierre SD 57532 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. 2412-2 appropriates 0.167 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara Formation) 1977 feet deep located in the NW 1/4 SW 1/4 Section 5-T108N-R78W.
2. The water appropriated shall be used for the purpose of supplying water for domestic and livestock use and may not exceed the amount of water needed for beneficial use.
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. 2412-2 is September 21, 1998.
5. The date from which applicant may claim right is June 17, 1998.
6. One-fifth of the construction is to be completed on or before March 21, 2001.
7. All construction is to be completed on or before September 21, 2003.
8. Water is to be put to beneficial use on or before September 21, 2007.
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. 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.
2. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum of 5 gallons per minute when not being used. 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
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 10 1998
date



FORM 2: Application for uses other than irrigation
(type or print)



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>2412-2</u>	Hydrologic Unit <u>10140101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Lyman Co. Herald, Presko, SD</u> <u>Capital Journal, Pierre, SD</u>	

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

Check use(s) of water:

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

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 James A. Ridings Phone 223-2943
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address HCR 32 Box 104 Fort Pierre State SD 57532
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.167 *CFS or 75 **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 well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
NW1/4 SW1/4 Section 5 T108N R78W
County Lyman
- County or counties where water will be used Lyman & Stanley
- Annual period during which water is to be used January 1 - December 31
- 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)

STATE OF SOUTH DAKOTA)
County of Hughes SS

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)

I, James A. Ridings, 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.

Applicant's signature James A. Ridings

Subscribed and sworn to before me this 17th day of June 19 98



Karen Schlaak
Notary Public signature
KAREN SCHLAACK, Notary Public
My Commission Expires 4-1-2001

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

see well construction

- a) Drill Hole Diameter _____ Depth 1977
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well: _____

On applicants property _____ On property owned by others _____

X 2. Wastewater Disposal System Information

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

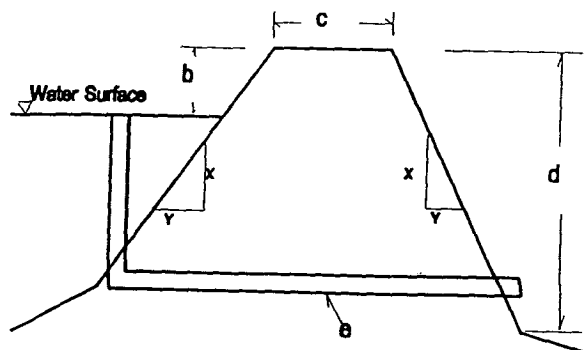
3. Dugout Information

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

X 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

Norm Morsuek
U.S. Forest Service

Well at SW 1/4 S5 T108N R78W

NOT TO SCALE

3 4.6 HEL

T3203

E1

7 286.3

HEL

FARM 1967

5

T3480

98-07

88-97

CR

100

1 95.1

HEL

2

155.9

HEL

T2390

E1

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 415803

Pierre, _____ June 17, 19 98

RECEIVED OF James A. Ridings, HCR 32, Box 104, Ft. Piere, SD 57532
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>2412-2</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	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	150 00

By _____
Chief Engineer

John Hatten

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: _____ 1/4 _____ 1/4 _____ Section 5 Township 108-N Range 78-W
 Well owner Le Roy Krier (Name) Presho, S. Dak. (Address)
 Date well drilling completed Nov. 13-77 Purpose of well domestic
 (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
150 ft.	shale	Depth to static water level _____ ft.
300 ft.	shale	Name of producing aquifer (if known) <u>Miocene</u>
450 ft.	shale	Total depth of drill hole _____ ft.
600 ft.	shale	Depth to bottom of casing <u>1977</u> ft.
750 ft.	shale	<u>Miocene-sundance</u>
900 ft.	shale	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
1050 ft.	shale	<u>151 ft. of 5" Cemented in</u>
1200 ft.	shale	<u>1977 ft. of 2" K copper</u>
1350 ft.	shale	Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
1500 ft.	shale	<u>100 ft. of 2" K copper - 3/8 holes</u>
1600 ft.	shale	<u>Water pressure- 170 #</u>
1622 ft.	shale	<u>Water temp- 110 degrees</u>
1700 ft.	shale	<u>110</u>
1800 ft.	shale	If a flowing well, flow of completed well _____ G.P.M.
1877 ft.	shale	<u>valved down to 20 G.P.M.</u>
100 ft.	shale	<u>Sather Drilling, Inc.</u>
1977 ft.	shale	Name of Drilling Contractor _____

Attach sheet if more space is needed

(2) PUMP INSTALLATION

Company name and size of pump _____ HP _____
 Type of pump _____ Capacity of installed pump _____ G.P.M.
 Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required. See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Name of Pump Installation Contractor _____



LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER THAT REPRODUCES THE ORIGINAL RECORDS IN A MANNER THAT IS ACCURATE AND COMPLETE. REPRODUCTION OF THIS RECORD IS PROHIBITED WITHOUT THE WRITTEN PERMISSION OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 25% FOL 20

WATER PERMIT APPLICATION NO. 2412-2
JAMES A. RIDINGS
JULY 16, 1998

Water Permit Application No. 2412-2 proposes to appropriate 0.167 cubic feet per second (75 gallons per minute) from one well 1,977 feet deep located in the NW¼ SW¼ Section 5, T108N-R78W. The water is for domestic and livestock watering use.

AQUIFER: Inyan Kara (INKR)

AQUIFER CHARACTERISTICS:

The completion report submitted with this application identifies the producing aquifer, encountered 1,877 feet below grade, as the Minnelusa Sandstone. Comparison of the elevation of the sandstone and the Structure Contour Map (Allen, 1984) for the Inyan Kara Group, suggests this well produces from the Inyan Kara Aquifer. The Inyan Kara Aquifer (locally referred to as the "Sundance" Aquifer) is a Cretaceous aged bedrock aquifer consisting of sand, sandstone and shale. The aquifer underlies most of western South Dakota and a portion of eastern SD. The formation pinches out approximately 30 miles south east of this well site. The Inyan Kara aquifer is estimated to approximately 275 feet thick in this area (Allen, 1984). Average annual recharge has not been quantified for the Inyan Kara Aquifer and an estimate is not expected to be ascertained in the near future. Definitive historic water level data is not available for the Inyan Kara Aquifer.

WELL CONSTRUCTION:

The well to be used to supply this permit was constructed in 1977. The driller reported the well has a shut in pressure of 170 psi, flows 110 gpm and has 110° F water. The completion report filed for the well indicates that 151 feet of the well's 1,977 feet of casing was cement-grouted. This type of construction "slim hole construction" is less expensive than cement-grouted the entire casing length but more likely to fail. The annular seal, and ultimately the well success, in this type of construction depends on the shale above the production aquifer sloughing off, filling and sealing the annulus. In 1992, in an effort to limit this type of well construction, the Water Management Board restricted this type of construction to private domestic use wells only (ARSD 74:02:04:36). This type of construction would not be allowed under the current Well Construction Standards for this well use.

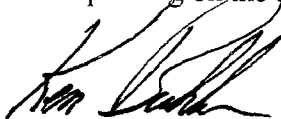
A description of the project was not provided with this application. However, the diversion rate that is requested by this application (75 gpm) is fairly high for livestock and domestic use.

REVIEW OF EXISTING WATER PERMITS/RIGHTS:

There are no other water permits/rights in this area which obtain water from the Inyan Kara aquifer. Interference is not a concern. This is a free flowing well and must be controlled and maintained to prevent the waste of water.

CONCLUSIONS:

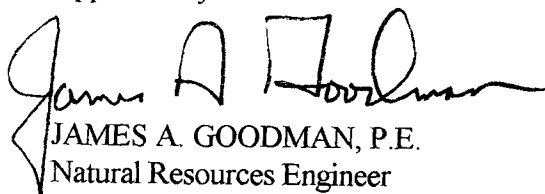
1. The Inyan Kara is a viable aquifer in this area.
2. The average annual recharge rate to the Inyan Kara Aquifer has not been quantified and is not expected to be ascertained in the near future.
3. This is a free flowing well. The well must be equipped with a valve and must be controlled to prevent the waste of water.
4. Depending on the details of this project, a diversion rate of 75 gpm may be excessive.



KEN BUHLER

Natural Resources Engineer

Approved by



JAMES A. GOODMAN, P.E.

Natural Resources Engineer

REFERENCES:

Allen, J.C., D. Iles, A. Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3 & 4: Groundwater Resources Inventory, US Army Corps of Engineers Contract DAWC 45-82-C-015, SD DENR- Geological Survey, Vermillion SD

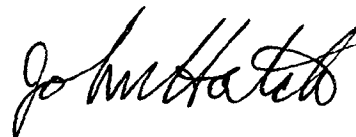
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2412-2, James A. Ridings**

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. 2412-2, James A. Ridings, HCR 32, Box 104, Fort Pierre, SD 57532.

The Chief Engineer is recommending APPROVAL of Application No. 2412-2 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) it is in the public interest with the following qualifications:

1. 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.
2. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum of 5 gallons per minute when not being used. 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
August 14, 1998



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPERS RIGHT AWAY.

August 25, 1998

James A. Ridings
HCR 32, Box 104
Ft. Pierre, SD 57532

Dear Mr. Ridings:

Water Permit Application No. 2412-2 for livestock and domestic 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 Lyman Co. Herald printed at Presho, SD (Ph # (605) 895-2505) and the Publisher of the Capital Journal printed at Pierre, SD (Ph # (605) 224-7301. 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
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
www.state.sd.us/denr

August 25, 1998

Capital Journal
P.O. Box 878
Pierre, SD 57501-0878

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2412-2 to Appropriate Water to be published twice. Please publish the first notice on September 2, 1998, 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 James A. Ridings, HCR 32, Box 104, Ft. Pierre, SD 575032 (Ph # (605) 223-2943).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 2412-2

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

Date _____

We are in receipt of your letter of August 25, 1998, enclosing Notice of Hearing to Appropriate Water by Application No. 2412-2 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 September 2, 1998, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2412-2 to Appropriate Water

Notice is given that James A Ridings, HCR 32 Box 104, Ft Pierre SD 57532 has filed an application for a water permit to appropriate 0.167 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara Formation) 1977 feet deep located in the NW ¼ SW ¼ Section 5-T108N-R78W. The water is for domestic and livestock watering use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2412-2 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 September 21, 1998.

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.

Form 8



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hughes) SS

I, Peggy Warner

certify that the attached printed Notice was taken
from the Capital Journal

printed and published in Pierre

County of Hughes and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

September 2, 1998
September 9, 1998

Cost of Printing \$ 36.40

Peggy Warner
(Signature)

Legal Ad Representative
(Title)

September 10, 1998
(Date Signed)

No. 1922 July 5/2, 9/9

NOTICE OF APPLICATION NO. 2412-2 to Appropriate Water

Notice is given that James A. Ridings, HCR 32 Box 104, Fort Pierre, S.D. 57532 has filed an application for a water permit to appropriate 0.167 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara Formation) 1977 feet deep located in the NW 1/4 SW 1/4 Section 5-T108N-R35W. The water is for domestic and livestock watering use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2412-2 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, S.D. 57501, telephone (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 September 21, 1998.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 25, 1998

Lyman Co. Herald
Box 280
Presho, SD 57568-0280

ATTENTION: Legal Department

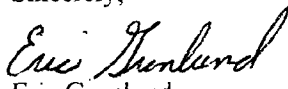
Enclosed is a Notice of Hearing on Application No. 2412-2 to Appropriate Water to be published twice. Please publish the first notice on September 2, 1998, with the second publication 7 days later.

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 James A. Ridings, HCR 32, Box 104, Ft. Pierre, SD 57532 (Ph # (605) 223-2943).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, please send us an affidavit or use the enclosed Proof of Publication form. The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 2412-2

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

Date _____

We are in receipt of your letter of August 25, 1998, enclosing Notice of Hearing to Appropriate Water by Application No. 2412-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

**PROOF OF PUBLICATION**

STATE OF SOUTH DAKOTA)

County of Lyman) SSI, Patricia J. McNaughton

certify that the attached printed Notice was taken

from the Lyman County Heraldprinted and published in PreshoCounty of Lyman and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Sept. 2, 1998Sept. 9, 1998Cost of Printing 37.89

Patricia J. McNaughton
(Signature)

Editor
(Title)

9-22-98
(Date Signed)

**NOTICE OF APPLICATION
NO. 2412-2****to Appropriate Water**

Notice is given that James A. Ridings, HCR 32 Box 104, Ft Pierre SD-57532 has filed an application for a water permit to appropriate 0.167 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara Formation) 1977 feet deep located in the NW 1/4 SW 1/4 Section 5-T108N-R78W. The water is for domestic and livestock watering use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2412-2 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 September 21, 1998.

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 Cronlund 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 10 1998

James A. Ridings
HCR 32, Box 104
Ft. Pierre, SD 57532

Dear Mr. Ridings:

Enclosed is Water Permit No. 2412-2 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 COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Date 12 Dec 1998

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: James A. Ridings HCR 32 Box 104
(name) (address)
Fr. Pierre SD 57532 605 223 2943
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 2412-2.

Water Permit No. 2412-2 states that the diversion system is to be constructed by 21 Sept 2003, and that the water is put to beneficial use by
(date)

21 Sept 2007
(date)

The diversion system was completed on 17 June 1998.
(date)

Applying the water to beneficial use was completed on 21 Sept 1998.
(date)

You may schedule an inspection so that the Water License may be issued.

Jan Giff
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 26, 2000

2412-2

James A Riding
22162 296th Ave
Ft Pierre, SD 57532

Dear Mr. Riding:

On August 31, 2000, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2412-2, 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,

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

Nº 416687

Pierre, November 13, 2000

RECEIVED OF James A Ridings, 22162 296th Ave, Ft. Pierre SD 57532

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. 2412-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Garland Erbele
Chief Engineer

KS

Permit No. 2412-2

Lyman County

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **08/31/00**, made a thorough examination of the water use system constructed by **James A. Riding** of **22162 296th Ave., Fort Pierre, SD 57532** holder of Permit No. **2412-2**, bearing the priority of **06/17/98** authorizing the diversion of **0.167** cu. ft. per second of the waters of **one well** for **domestic and livestock watering** purposes, in **Lyman County**.

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

A. Works used to divert the water:

One flowing well. Well is valve controlled and capable of being shut in. Gage read 80 psi at time of examination. Well was drilled in 1977 and the well log is on file. 151 feet of 5-inch casing is cemented in. There is 1977 feet of 2-inch copper production casing.

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

2-inch copper pipeline

C. Works used to apply water to beneficial use:

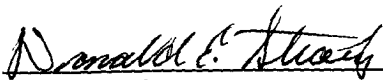
Water is used for geothermal purposes in a barn and watering for a wild fowl rearing operation. Water will be used for geothermal purposes in the residence.

The system is in the following condition **Good**. The point of diversion is located **82 feet East and 3050 South of the NW corner of Section 5 T108N R78W (N44.18630° W100.22625°)**. The works are capable of diverting and conveying to the place of use **0.167** cu. ft. per second of water which is to be used for **domestic and livestock watering purposes**. Water has been put to beneficial use to the maximum extent.

The license should be issued for **0.167** cfs

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

Exceptions to compliance are: **None**

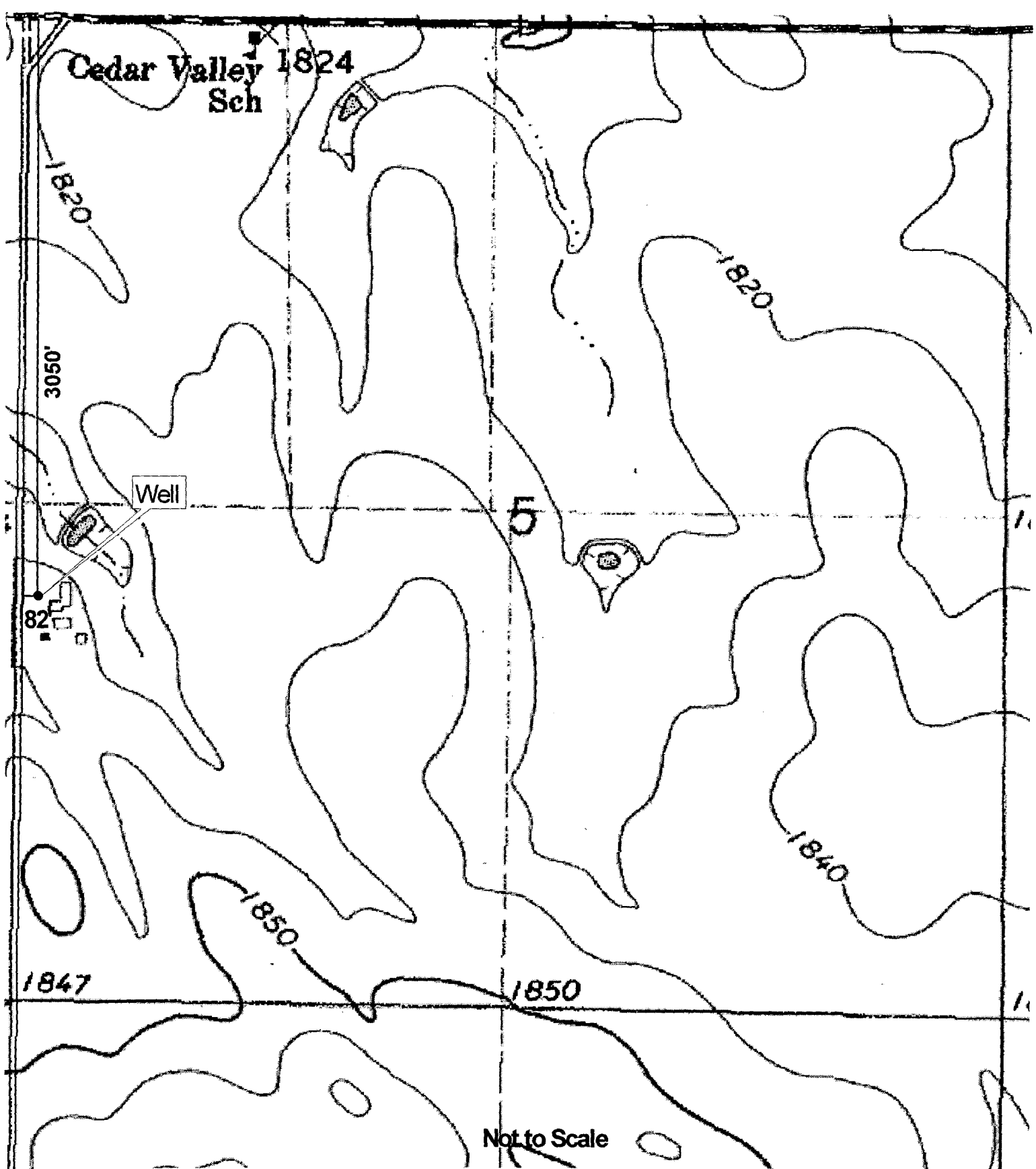
 **10/16/00**

Donald E. Stroup

Date

Natural Resources Engineer

DENR, Water Rights Program



#2412-2
James Riding
HCR 32 Box 104
Ft. Pierre, SD 57532

Well
NW1/4 SW1/4
Section 5 T108N R78W

Donald E. Stroup 10/16/00
Donald E. Stroup
DENR Natural Resources Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2412-2

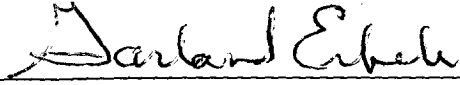
(1) James A Ridings, 22162 296th Ave, Ft. Pierre SD 57532 made Application No. 2412-2, June 17, 1998 for a water permit to divert 0.167 cubic feet of water per second from groundwater (one well), Lyman County, South Dakota for domestic and livestock watering purposes. Permit No. 2412-2, with a priority date of June 17, 1998 was approved September 21, 1998 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 21, 2003 and for the application to beneficial use of said water on or before September 21, 2007.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on December 12, 1998. The *Notice* stated the diversion system was completed on June 17, 1998 and the water placed to beneficial use on September 21, 1998.

(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 0.167 cubic feet of water per second for beneficial use. The location of the diversion point is 82 feet east and 3,050 south of the northwest corner of Section 5-T108N-R78W (NW ¼ SW ¼).

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

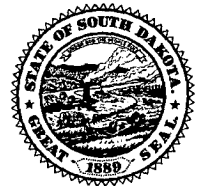
(4) Pursuant to South Dakota Water Law 46-5-30.1 James A Ridings, 22162 296th Ave, Ft. Pierre SD 57532 the holder and/or owner of Water Right No. 2412-2 is issued a license to appropriate water, the right to use 0.167 cubic feet of water per second from groundwater (one well) with a priority date of June 17, 1998 from the location specified in (2) of this license for domestic and livestock watering purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2412-2 and subject to South Dakota State Law.



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

DEC 12 2000

date





DEC 12 2000

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

2412-2

James A Ridings
22162 296th Ave
Ft. Pierre SD 57532

Dear Mr. Ridings:

Enclosed is Water License No. 2412-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416587 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. 2412-2, 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