

WATER PERMIT NO. 2448-2

Name of Applicant: Heartland Country Ranchettes

Address: PO Box 2400, Rapid City SD 57709

Phone: 605 342-7304

Amount of Water Claimed: 0.167 cfs (75 gpm)

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: suburban housing development

County: Custer

Type of Waste Disposal System: individual septic systems

Location: 18 miles east of Custer

PRIORITY Date Received: 10-4-2000

Fee: \$150

Corrected Application Received: 10-11-2000

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW ¼ NE ¼ Sec 35-T3S-R7E

Land to be Irrigated: NA

Depth of Well: approximately 700 feet deep

Well Driller: :

Remarks:

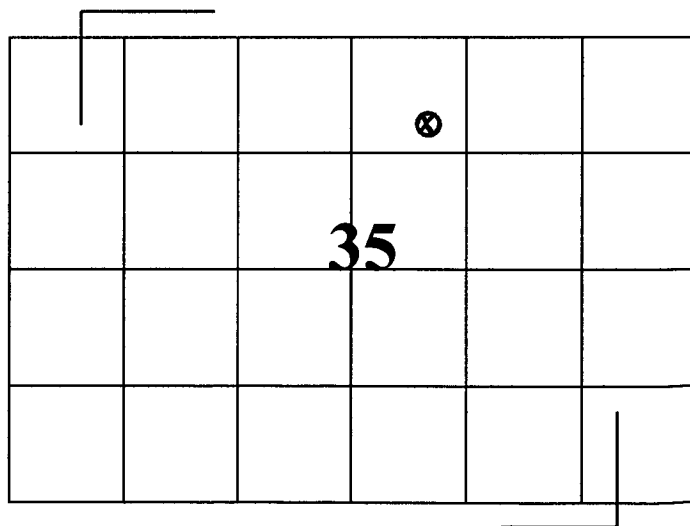
Type of Map: plat

Prepared by: Darrell J Bishop, PE

Reviewed and the Number Assigned on: 10-11-2000

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 2448-2**

Date of first receipt of application October 4, 2000.

Date of return to applicant for corrections, amendments or changes October 5, 2000.

Date of receipt of corrected application October 11, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2448-2 to Heartland Country Ranchettes, PO Box 2400, Rapid City SD 57709 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. 2448-2 appropriates 0.167 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara Formation) approximately 700 feet deep located in the NW ¼ NE ¼ Section 35-T3S-R7E.
2. The water appropriated shall be used for the purpose of supplying water for a suburban housing development 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. 2448-2 is December 18, 2000.
5. The date from which applicant may claim right is October 4, 2000.
6. One-fifth of the construction is to be completed on or before June 18, 2003.
7. All construction is to be completed on or before December 18, 2005.
8. Water is to be put to beneficial use on or before December 18, 2009.
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 authorized by Permit No. 2448-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

WATER MANAGEMENT BOARD

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

JAN 29 2001

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	No. <u>2448-2</u>	(office use only) Hydrologic Unit <u>10120109</u>
	Basin <u>Upper Cheyenne</u>	
	Newspaper <u>Custer Co. Chronicle, Custer</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

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 Hearthland Country Ranchettes Phone 605-342-7304
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address P.O. Box 2400, Rapid City State S.D. 57709
(Street, RR. or Box) (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 1 well INYAN KARA
- Location of point of diversion (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W) NW 1/4 NE 1/4
Sec 35 Twp 35 Rg 7E B.H.M. Custer County, S.D.
County Custer
- County or counties where water will be used Custer
- Annual period during which water is to be used year long Jan 1 - Dec 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 Custer

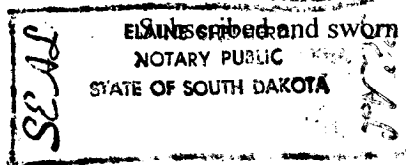
SS

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)

Hearthland Country Ranchettes
We, J. Willard Smith & John Preston, members 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

[Signature] day of October 19 2000



[Signature]

Notary Public

my commission expires October 1, 2006

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 7/8" Depth 700'
- b) Casing Type Steel Diameter 5.5" Thickness 2.75
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 600'
- f) Depth to Water (ground surface to water level) 200'
- g) Distance to nearest existing domestic well:
On applicants property 1/2 mile On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Each Acreage will do their own
- b) System Capacity (gallons) Individual septic system that will meet DeSoto County + State
Year Constructed _____
- c) Connected to the City of of So. Dak Sanitary System requirements.

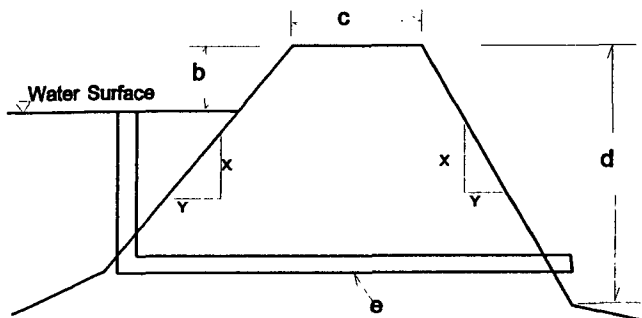
3. Dugout Information

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

4. Water Storage Dams

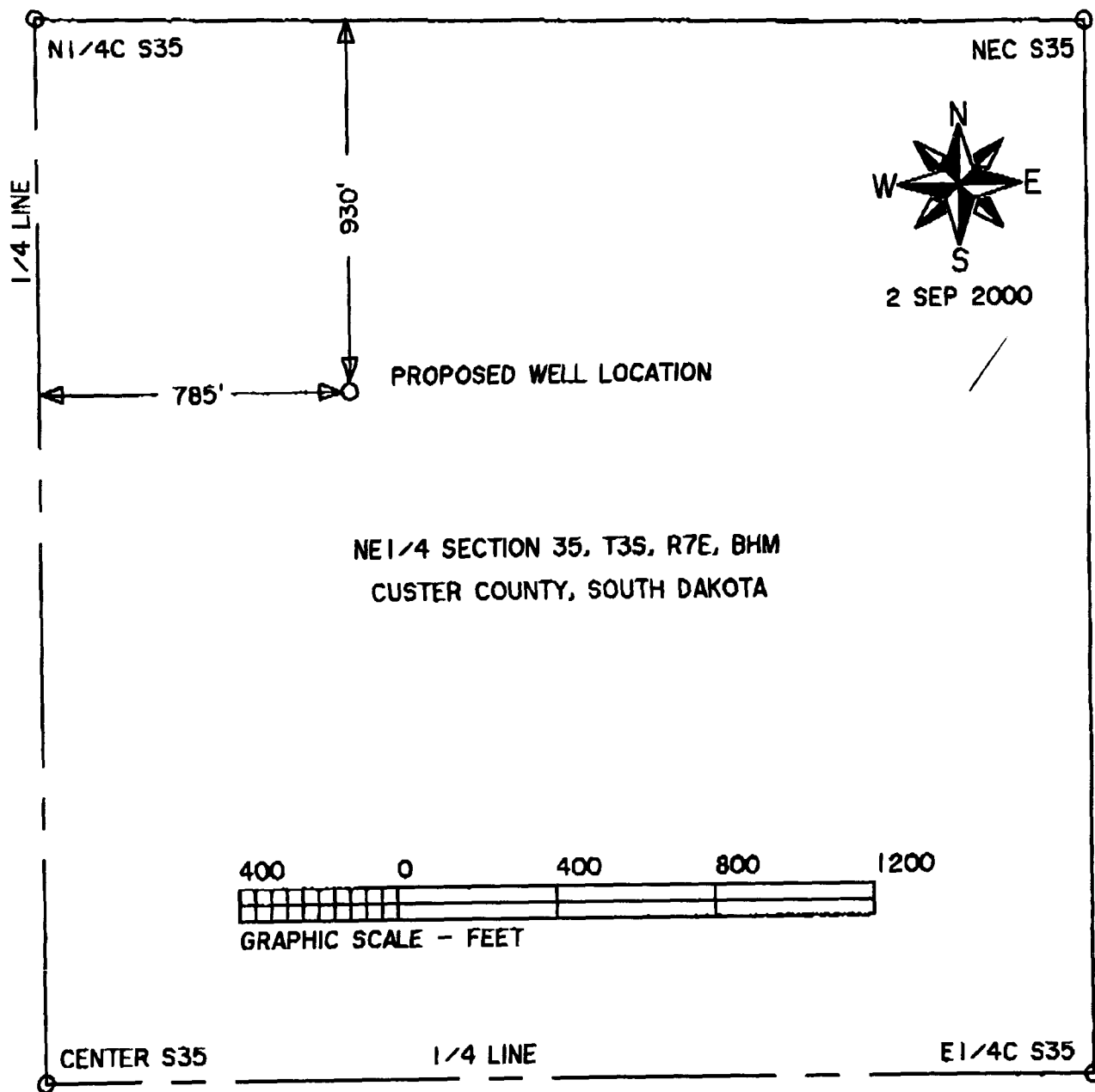
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- 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

MAP OF LOCATION FOR PORPOSED WELL
NE 1/4 SECTION 35, T3S, R7E, BHM,
CUSTER COUNTY, SOUTH DAKOTA



Darrell J Bishop
PE SD 2702
Sept 4, '00



2448-2

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416650

Pierre, October 4, 2000

RECEIVED OF Heartland Country Ranchettes, LLC, PO Box 2400, Rapid City, SD 57709
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 2448-2 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. 2448-2 _____

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

200 00

By Garland Erbele
Chief Engineer

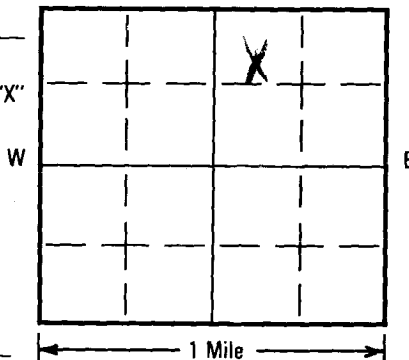
GARLAND ERBELE

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 NE 1/4 Sec 35 Twp 35 Rg 2E
 County Custer

Please mark well location with an "X"



Well Completion Date

12/5/00

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 52 ft. from septic (identify source).

PROPOSED USE:

☒ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

CASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
<u>17</u> LB/FT	<u>5.5</u> IN	<u>525</u> FT	<u>730</u> FT	<u>6 1/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>portland</u>	<u>100</u>	<u>14</u> lb./gal	<u>560</u> ft.	<u>0</u> ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure pressure grouted through casing

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Chlorine

 NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Willard Worth
 Business Name: Heartland Country Ranchettes
 Address: 401 89 St NW
Verona, ID 83744

WELL LOG:

DEPTH

FORMATION	FROM	TO
<u>tan clay some limestone</u>	<u>0</u>	<u>100</u>
<u>yellow clay</u>	<u>100</u>	<u>120</u>
<u>black shale</u>	<u>120</u>	<u>340</u>
<u>yellow siltstone & clay</u>	<u>340</u>	<u>400</u>
<u>gray shale</u>	<u>400</u>	<u>420</u>
<u>yellowish clay & shale</u>	<u>420</u>	<u>550</u>
<u>red brown sand</u>	<u>550</u>	<u>580</u>
<u>yellow sand / brown sand</u>	<u>580</u>	<u>750</u>
<u>dark shale</u>	<u>750</u>	<u>760</u>

STATIC WATER LEVEL 330 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: Air Developed

☐ Bailed _____

☒ Other _____

Pumping Level Below Land Surface

640 ft. After 2 Hrs. pumped 60 GPM

500 ft. After 2 Hrs. pumped 30 GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 195

And this report is true and accurate.

Drilling firm S. Bice Drilling

Signature of License Representative: Frank Sonway

Signature of Well Owner or Equitable Property Holder: Willard Worth

Date: _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 5, 2000

Heartland Country Ranchettes
c/o Willard Werth
PO Box 2400
Rapid City SD 57709

Dear Mr. Werth:

Thank you for submitting the *Application for a Permit to Appropriate Water* for a suburban housing development. Enclosed is the Supplemental Information Form 2A. Please complete Item 2. regarding the Wastewater Disposal System Information.

Also, if the well has been constructed, please submit a copy of the well completion report.

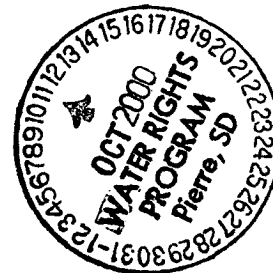
If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 3, 2000

Frank Conway
S. Bice Drilling Co.
1210 Creek Dr.
Rapid City, SD 57701

Dear Mr. Conway:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for Heartland Country Ranchettes, (Willard Werth, PO Box 2400, Rapid City, SD, 57709) prior to approval of a water permit. The test well is to be completed into the Inyan Kara Aquifer in the NW¼ NE ¼ Section 35, T3S-R7E. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for GARLAND ERBELE, Chief Engineer
Water Rights Program
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2448-2, Heartland Ranchettes**

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. 2448-2, Heartland Ranchettes, c/o Willard Werth, PO Box 2400, Rapid City SD 57709.

The Chief Engineer is recommending APPROVAL of Application No. 2448-2 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 wells authorized by Permit No. 2448-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

See report on application for additional information.

Garland Erbele, Chief Engineer
November 14, 2000

WATER PERMIT APPLICATIONS NO. 2448-2
HEARTLAND COUNTRY RANCHETTES
NOVEMBER 6, 2000

Water Permit Application No. 2448-2 proposes to appropriate 0.167 cubic feet of water per second (75 gallons per minute) from one well (Inyan Kara Aquifer), approximately 700 feet deep, located in the NW¼ NE¼ Sec. 35, T3S-R7E, in Custer County. The water is for use in a suburban housing development.

AQUIFER: Inyan Kara (INKR)

GENERAL:

The Inyan Kara Aquifer consists of interbedded sandstone (thin bedded to massive), siltstone, and shale from the Fall River and Lakota Formations. Although the Fuson Shale sometimes separates these two formations it is often difficult to differentiate the bottom of the Fall River from the top of the Lakota. The two formations are probably hydraulically connected and therefore can be considered a single aquifer. The aquifer is areally extensive, underling over 36,000 square miles of western South Dakota (Allen, 1984). The aquifer underlies 360,960 acres and contains an estimated 8,121,600 acre-feet of recoverable water in storage in Custer County alone (Allen, 1984).

This well site is approximately 1 ½ miles east of the outcrop where the beds dip approximately five degrees to the east, (DeWitt, 1989). The top of the Inyan Kara is expected to be 340' below ground surface at this site (Carter, 1999). The entire Inyan Kara Group is expected to be approximately 250-300' thick in this area (Water Rights, 2000), although only the sandstone beds actually make up the aquifer. The thickness of the Inyan Kara Aquifer does however, vary considerably within short distances. The Skull Creek Shale overlies the Inyan Kara at this well site, although a short distance west of this site the Inyan Kara is overlain by the White River Group. This well site is near the eastern edge of the unconfined portion of the aquifer. The aquifer is probably under slightly confined, (artesian) conditions at this site. Approximately 1000 feet of confining beds separate the Inyan Kara Aquifer from the next aquifer, which is the Minnelusa aquifer. The water level in a well at this site is expected to be approximately 3300' msl or 340' below ground surface (Strobel, 2000).

WATER AVAILABILITY:

Water Rights Program monitors 7 observation wells completed into the Inyan Kara Aquifer in the Black Hills Area. One Water Rights' Inyan Kara observation well (CU-83C), which is located about two and one-half miles northeast of this well site, showed a steady, gradual (4 feet) loss of head between 1985 and 1997, and increasing heads from 1997 to present, see figure 2.

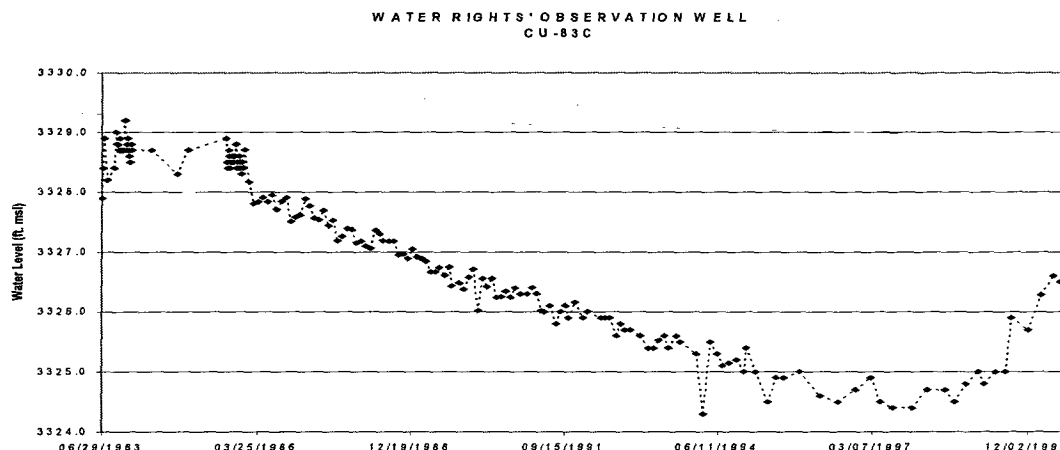


Figure 2. Water Rights' Inyan Kara Observation Well Hydrograph

It is unclear why the water levels have fluctuated in this well, it may simply be localized drawdown. With the exception of CU-83C, hydrographs of Water Rights' observation wells indicate the Inyan Kara Aquifer is in dynamic equilibrium showing minor changes in water level corresponding with seasonal or climatic conditions only. The hydrographs indicates water is available for this appropriation.

EXISTING WATER RIGHTS:

The Inyan Kara Aquifer has been developed in at least 23 counties in South Dakota with 126 Water Rights/Permits. There are 10 rights/permits appropriating water from the Inyan Kara Aquifer in Custer County. There are only two Inyan Kara appropriations within four miles of this site, they include:

Water Right No.	Name	cfs	Use	Distance from 2447-2
1635-2	Borderlands Co.	0.03	IRR	1.7 miles northeast
2074-2	Prairie Gardens	0.01	IRR	1. mile southwest

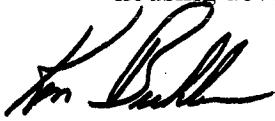
In addition to appropriative rights, there are several domestic well logs on file for wells completed into the Inyan Kara Aquifer in this area (Water Rights, 2000_a).

The diversion proposed by this application should not result in an adverse impact to adequate wells in the area because of the relatively low diversion rate proposed (75 gpm) and the distance between wells.

CONCLUSIONS:

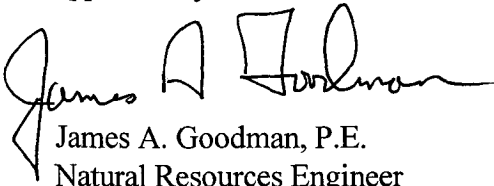
1. The Inyan Kara Aquifer is a viable aquifer in this area, and water is available for this appropriation.

2. Well interference should not be a problem in this area. The requested diversion rate is relatively small and should not cause significant drawdown.
3. The application indicates that individual septic systems will be used for the suburban housing developments wastewater disposal system



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
- Carter, J.M., Redden, J.A., 1999, Altitude of the Top of the Inyan Kara Group in the Black Hills Area, South Dakota, Hydrologic Investigations Atlas HA-744-A, U.S. Department of the Interior, U.S. Geological Survey,
- DeWitt, E., Redden, J.A., Buscher, D., Burbach Wilson, A., 1989, Geologic Map of the Black Hills Area, South Dakota and Wyoming, U.S. Geological Survey, Map I-1910,
- Strobel, M.L., Galloway, J.M., Hamade, G.R., Jarrell, G.J., 2000, Potentiometric Surface of the Inyan Kara Aquifer in the Black Hills Are, South Dakota, Hydrologic Investigations Atlas HA-745-A, U.S., Department of the Interior, U.S. Geological Survey
- Water Rights Program, 2000_a, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights Program, 2000_b, " Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights Program, 2000_c, "Water Permit Files," DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Affidavit of Publication

State of South Dakota)

)ss.

County of Custer)

Charles W. Najacht of said county, being duly sworn, on oath says that he is publisher of the Custer County Chronicle, a weekly newspaper printed and published in Custer City, said County of Custer 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 next 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 publication: that the

Heartland Country Ranchettes

Notice of Application

No. 2448-2

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:

Nov 30, 2000; Dec. 7, 2000;

_____;

_____;

_____;

_____;

the full amount of the fees for the publication of the annexed notice is \$ 19.89.

Charles W. Najacht

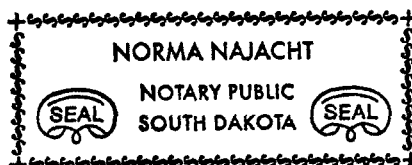
Subscribed and sworn to me before this 7

of December, 2000;

Norma Najacht

NOTARY PUBLIC

MY COMMISSION EXPIRES: May 5, 2006



NOTICE OF APPLICATION NO.

2448-2

TO APPROPRIATE WATER

Notice is given that Heartland Country Ranchettes, c/o Willard Werth, PO Box 2400, Rapid City, SD 57709 has filed an application for a water permit to appropriate 167 cubic feet of water per second (75 gallons per minute) from one well (Ivan Kara Formation) approximately 100 feet deep located in the NW1/4NE1/4 Section 35-T3S-R7E. The water is for use in a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2448-2 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 December 18, 2000.

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 was obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

#300, 11/30, 12/7



Instruction to Newspaper - Publish first Notice on November 30, 2000 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2448-2 to Appropriate Water

Notice is given that Heartland Country Ranchettes, c/o Willard Werth, PO Box 2400, Rapid City SD 57709 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) approximately 700 feet deep located in the NW ¼ NE ¼ Section 35-T3S-R7E. The water is for use in a suburban housing development.

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

November 17, 2000

Heartland Country Ranchettes
c/o Willard Werth
PO Box 2400
Rapid City SD 57709

Dear Mr. Werth:

Water Permit Application No. 2448-2 for suburban housing development use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Custer Co. Chronicle printed at Custer, SD (Ph # 605 673-2217). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 17, 2000

Custer Co. Chronicle
Box 551
Custer SD 57730-0551

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2448-2 to Appropriate Water to be published twice. Please publish the first notice on November 30, 2000 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 Heartland Country Ranchettes, c/o Willard Werth, PO Box 2400, Rapid City SD 57709 (Ph # 605 342-7304).

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

-----CU T HERE-----

No. 2448-2

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

Date _____

We are in receipt of your letter of November 17, 2000 enclosing Notice of Hearing to Appropriate Water by Application No. 2448-2 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 57501-3182
www.state.sd.us/denr

JAN 29 2001

Heartland Country Ranchettes
PO Box 2400
Rapid City SD 57709

Dear Sir:

Enclosed is Water Permit No. 2448-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

Permit No. 2448-2
Upper Cheyenne River - Water District

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, **September 28, 2010**, made a thorough examination of the water use system constructed by **Heartland Country Ranchettes** of **25281 Wapiti Road, Hermosa, SD 57744** holder of Permit No. **2448-2**, bearing the priority of **October 4, 2000** authorizing the diversion of **0.167** cu. ft. per second of the waters of **the Inyan Kara aquifer** for **tsuburban housing development** purposes, in **Custer** County.

Inspection contact & relationship to permit holder, if applicable:	John Prestone, developer (September 28, 2010) Dave Merrill, well pump installer (September 30, 2010) Jeff Thompson, Water Assoc. Pres (November 17, 2010)
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A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **S. Bice Drilling**
- 2) No. of Wells **one**
- 3) Depth(s) **760** feet
- 4) Well log is available **Yes**
- 5) Comment:

Casing:

- I. 1) Diameter **7** inches (O.D.)
2) Length **556** feet
3) Type **steel**
- II. 1) Diameter **5.5** inches (O.D.)
2) Length **205** feet (from 525-730)
3) Type **steel**

Screen:

- 1) Type **None (open hole completion)**
- 2) Length **40** feet (from 730-760' lsd)
- 3) Static water level **330** feet (12/05/2000)

Pump:

- 1) Make **Grundfos**

- 2) Model submersible
- 3) Size 10 HP
- 4) Capacity 40 GPM

Motor:

- 1) Make Franklin Electric
- 2) Horsepower rating 10 hp

B. Works used to transport water to place of use: (from 2003 map submitted to Office of Drinking Water)

- | | | |
|--------------------|----------------------------|----------------------------|
| 1) Type <u>PVC</u> | 2) Size <u>1.25</u> inches | 3) Length <u>1020</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>2</u> inches | 3) Length <u>1405</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>3</u> inches | 3) Length <u>6995</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>4</u> inches | 3) Length <u>3645</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>6</u> inches | 3) Length <u>1360</u> feet |

C. Works used to apply water to beneficial use:

Water is provided to a total of 45 lots in the Heartland Country Ranchettes suburban housing development

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA
- 3) Exceptions to compliance are: none

The system is in good condition with the point of diversion located as follows: 900 feet south and 1,840 feet west of the north east corner of Section 35, T3S-R7E, (Latitude 43.75019904 and Longitude -103.24604194). The works are capable of diverting and conveying to the place of use 0.089 cu. ft. per second of water which is used for suburban housing development use. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.089 cfs.

All structures, wells and lands on map Yes

Comments or other permit(s) associated with the project: Correspondence for Heartland Country Ranchettes should be addressed to the president of the homeowner's association:

Jeff Thompson
Heartland Country Ranchettes
25281 Wapiti Road
Hermosa, SD 57744



Ken Buhler

DENR, Water Rights Program

Date report completed: November 29, 2010

2448-2



Tom Luehl
29 Nov 2010



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 14 2011

2448-2

Jeff Thompson
Heartland Country Ranchettes
25281 Wapiti Rd
Hermosa SD 57744

Dear Mr. Thompson:

Enclosed is Water License No. 2448-2. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field 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. 2448-2, 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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2448-2

(1) Heartland Country Ranchettes, 25281 Wapiti Rd, Hermosa SD 57744 made Application No. 2448-2, October 4, 2000 for a water permit to divert 0.167 cubic feet of water per second (75 gallons per minute) from ground water – one well (Inyan Kara Formation), Custer County, South Dakota for suburban housing development purposes. Permit No. 2448-2, with a priority date of October 4, 2000 was approved December 18, 2000 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 18, 2005 and for the application to beneficial use of said water on or before December 18, 2009.

(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 0.089 cubic feet of water per second (40 gallons per minute) for beneficial use.

The location of the diversion point is 900 feet south and 1,840 feet west of the NE corner of Section 35, T3S, R7E (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.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Heartland Country Ranchettes, 25281 Wapiti Rd, Hermosa SD 57744 the holder and/or owner of Water Right No. 2448-2 is issued a license to appropriate water, the right to use 0.089 cubic feet of water per second from ground water – one well (Inyan Kara Formation) with a priority date of October 4, 2000 from the location specified in (2) of this license for suburban housing development purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2448-2 and subject to 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.
- The well authorized by Permit No. 2448-2 shall be constructed by a licensed well driller and construction of the well shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
Well drilled by Bice Drilling in 2000 – well log on file with the Water Rights Program.



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

JAN 14 2011

date

