

WATER PERMIT NO. 2476-2

Name of Applicant: Reptile Gardens

Address: Box 620, Rapid City SD 57709 Phone: 605 342-5873

Amount of Water Claimed: 0.078 cfs (35 gallons per minute) Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial County: Pennington

Type of Waste Disposal System:

Location:

PRIORITY Date Received: 2-1-02 Fee: \$50

Corrected Application Received: Period of Annual Use: January 1 – December 31

Remarks: backup supply for Reptile Garden

Diversion Point: NE ¼ SW ¼ Sec 3-T1S-R7E

Land to be Irrigated: NA

Depth of Well: 120 feet deep

Well Driller: :

Remarks:

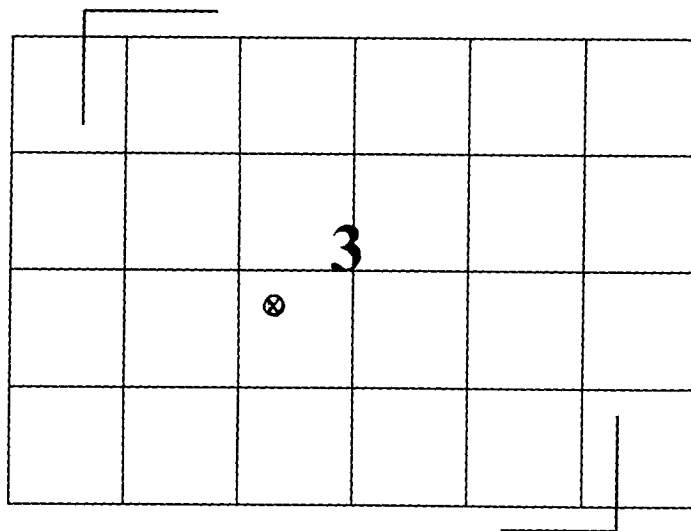
Type of Map: topo

Prepared by: Ken Buhler

Reviewed and the Number Assigned on: 2-1-02

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 2476-2**

Date of first receipt of application February 1, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2476-2 to Reptile Gardens, PO Box 620, 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. 2476-2 appropriates 0.078 cubic feet of water per second (35 gallons per minute) from one well 120 feet deep located in the NE ¼ SW ¼ Section 3-T1S-R7E.
2. The water appropriated shall be used for the purpose of commercial use and may not exceed the amount of water needed for beneficial use. This well will serve as a standby water source for the business.
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. 2476-2 is April 22, 2002.
5. The date from which applicant may claim right is February 1, 2002.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

MAY 31 2002

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>2476-2</u>	(office use only) Hydrologic Unit <u>10120110</u>
	Basin <u>Upper Cheyenne</u>	
	Newspaper <u>Rapid City Journal</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.) _____

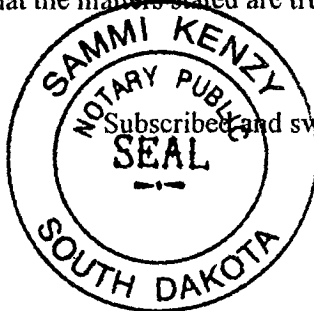
- Name of Applicant Reptile Gardens Phone (605) 342-5873
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address Box 620, Rapid City State SD 57709
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.078 *CFS or 35 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply One well 120 feet deep
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1 well in the NE1/4 SW1/4 Sec. 3, T1S-R7E
County Pennington
- County or counties where water will be used Pennington
- Annual period during which water is to be used January 1 through 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) Well is to be used as a standby well for Reptile Gardens. Water is used: (a) in the main building for a café, bathrooms and a drinking fountain; (b) in the dome for bathrooms, for exhibit pools and tanks, and animal care; (c) in the shop building; (d) in the trained animal building; (e) in a metal building and (f) in two mobile home units

STATE OF SOUTH DAKOTA)

County of PENNINGTON 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, THOMAS GARRIGAN, 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 Tom Garrigan

Subscribed and sworn to before me this 30TH day of JANUARY 2002

Sammi Kenzy 1/30/02
Notary Public signature

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter Unknown Depth 120'
- b) Casing Type Steel Diameter 5" Thickness _____
- c) Screen Type Unknown Diameter Unknown Thickness _____
- d) Gravel Pack Unknown Length of Gravel Pack Unknown
- e) Depth to Top of Water Bearing Material Unknown
- f) Depth to Water (ground surface to water level) Approximately 10 feet
- g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) SEPTIC TANK
- b) System Capacity (gallons) 1000 Year Constructed 1964
- c) Connected to the City of _____ Sanitary System _____

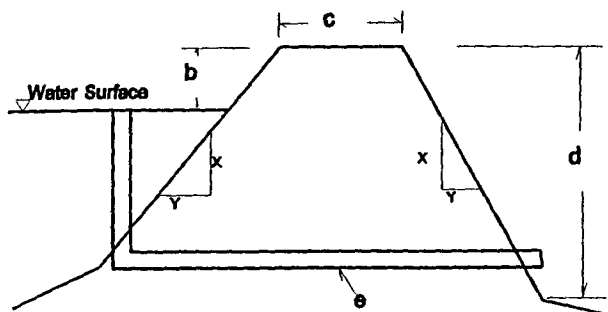
3. Dugout Information

- 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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

Nº 417073

Pierre, February 1, 20 02

RECEIVED OF Black Hills Reptile Gardens, Inc., PO Box 620, Rapid City SD 57709
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>2476-2</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2476-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	100 00

By

Darland Erbe
Chief Engineer



November 6, 2001

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Tom Garrigan
Reptile Gardens
PO Box 620
Rapid City, SD 57709

Dear Mr. Garrigan:

On October 9, 2001, we met and examined the Reptile Gardens water wells. Water Permit No. 1883-2 authorizes the use of water from the 540 feet deep well. The final Water Right can be issued for this water use following receipt of the license fee of \$50.00.

As we discussed, the shallow well that is a "back up" supply at the facility is not covered under a water permit/right. I have completed an "Application for a Permit to Appropriate Water Within the State of South Dakota" for your use. Please sign the form, have it notarized and return it to us along with the application fee of \$100.00. Upon receiving the application we will begin the permit process.

If you have any questions feel free to contact me at (605) 773-3352.

Sincerely,

Ken Buhler
Natural Resources Engineering Specialist
DENR-Water Rights Program

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 2002

Tom Garrigan
Reptile Gardens
PO Box 620
Rapid City SD 57709

Dear Mr. Garrigan:

On November 6, 2001, you were sent applications forms for a permit to appropriate water based on an investigation of Water Permit No. 1883-2, by Ken Buhler, an engineer with this office. Enclosed is a copy of that letter. The investigation showed that Reptile Gardens system was not developed as originally permitted. This application is necessary to obtain a permit which will reflect your water use system. To date, we have not received a response regarding this application.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352

enclosures

WATER PERMIT APPLICATION NO. 2476-2
REPTILE GARDENS
MARCH 7, 2002

Water Permit Application No. 2476-2 proposes to appropriate 0.078 cubic feet of water per second (35 gallons per minute) from one existing well 120 feet deep located in the NE ¼ SW ¼ Sec. 3, T1S-R7E. This well will serve as a standby water source for the business.

AQUIFER: Quaternary Alluvium (ALQ) and Quaternary Terrace Deposits (ALQT) or Spearfish Formation (SPRF)

GENERAL:

A well completion report is not available for this well. Information provided by the applicant indicates the well is 120 feet deep, has a static water level of approximately ten feet below grade and is cased with 5-inch diameter steel casing.

The shallowest of the principle bedrock aquifers in the area, the Minnekahta Limestone, is estimated to be 190 feet below grade at this well site (Carter, 1999). However, Water Rights' observation well data (Water Rights, 2002b) and completion reports from area wells (Water Rights, 2002c) suggest the top of the Minnekahta Limestone could be at least 400 feet below grade at this well. Therefore, at the reported well depth, it is not likely that this well is completed into the Minnekahta Limestone.

A review of the areal geology (Rahn, 1987), suggests a well 120 feet depth could produce water from either a terrace deposit that occupies a former flood plain, an alluvial deposit along Spring Creek, or the Spearfish Formation. The alluvium and terrace deposits consist of sand, gravel and boulders, with silts and clays. Well logs from area wells indicate these sand and gravel deposits are 15-30 feet thick in this area (Water Rights, 2002b), (Water Rights 2002c). This well site is located at the up-gradient end of a 9000-acre alluvial deposit along Spring Creek (Strobel and others, 1999). The terrace deposit that abuts the alluvium underlies approximately 188 acres (Strobel and others, 1999). The saturated thickness of these deposits is unknown, so the amount of recoverable water in storage is unknown for the aquifer. The alluvium and terrace deposits contain water that is under unconfined (water table) conditions. Recharge to the aquifer is accomplished through precipitation falling directly on the alluvium, runoff from surrounding areas, and streamflow losses from Spring Creek. Recharge to the aquifer has not been quantified.

The alluvium and terrace deposits overlie the Spearfish Formation. The Spearfish Formation is generally considered a confining bed rather than an aquifer, but commonly produces water in this area. The Spearfish Formation consists of red, sandy, clayey, siltstone with massive gypsum beds. Wells completed into the Spearfish Formation typically obtain water from particularly sandy zones in the formation or from fractures and solution openings created in gypsum beds which are common in the formation.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights in this area which obtain water from the Spearfish Formation, the alluvium or the terrace deposit. There are numerous water permits/rights in the area which obtain water from the Minnelusa aquifer. It is unlikely that pumping from this well will affect any of the other aquifers. The requested diversion rate is relatively small and will be used infrequently.

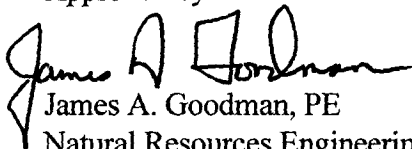
CONCLUSIONS

1. This is an existing well that has been used for several years without any reported controversy.
2. Interference caused by this well should not be a concern.
3. A well completion report is not available for this well so it is not possible to determine if the well was constructed in accordance with the SD Well Construction Standards.
4. There is a reasonable probability groundwater is available for this appropriation.
5. The aquifer is under water table conditions and drawdown due to this diversion is not expected to adversely affect adequate wells in the area.



Ken Buhler
Natural Resources Engineering Specialist

Approved by



James A. Goodman, PE
Natural Resources Engineering Director

REFERENCES:

Carter, J.M., and Redden J.A., 1999, Altitude of the Top of the Minnekahta Limestone in the Black Hills Area, South Dakota, Hydrologic Investigations Atlas HA-744-B, U.S., Department of the Interior, U.S. Geological Survey, Rapid City, SD

Lester, J.L., and Rahn, P.H., 2001, Geologic Map of the Rockerville Quadrangle, South Dakota, South Dakota Geological Survey, Vermillion, SD

Water Rights Program, 2002a, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD

Water Rights Program, 2002b, "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD

Water Rights Program, 2002c, "Water Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD



**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. 2476-2, Reptile Gardens**

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. 2476-2, Reptile Gardens, c/o Thomas Garrigan, PO Box 620, Rapid City SD 57709.

The Chief Engineer is recommending APPROVAL of Application No. 2476-2 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 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.

Garland Erbele, Chief Engineer
March 27, 2002



**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.

March 28, 2002

Reptile Gardens
% Tom Garrigan
PO Box 620
Rapid City, SD 57709

Dear Mr. Garrigan:

Water Permit Application No. 2476-2 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 Rapid City Journal printed at Rapid City, SD (Ph # 605-342-5873). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also 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

March 28, 2002

Rapid City Journal
PO Box 450
Rapid City, SD 57709-0450

ATTENTION: Legal Public Notice

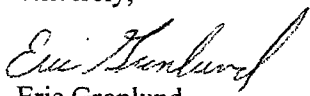
Enclosed is a Notice of Hearing on Application No. 2476-2 to Appropriate Water to be published twice. Please publish the first notice on April 4, 2002 with the second publication 7 days later.

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 Reptile Gardens, %Tom Garrigan, PO Box 620, Rapid City, SD (Ph # 605-342-5873).

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. 2476-2

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

Date _____

We are in receipt of your letter of March 28, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 2476-2 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 April 4, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2476-2 to Appropriate Water

Notice is given that Reptile Gardens, Box 620, Rapid City SD 57709 has filed an application for a water permit to appropriate 0.078 cubic feet of water per second (35 gallons per minute) from one well 120 feet deep located in the NE ¼ SW ¼ Section 3-T1S-R7E for commercial use. This well will serve as a standby water source for the business.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2476-2 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 April 22, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
 County of Pennington)

I, Patricia K. Van Patten

certify that the attached printed Notice was taken

from the Rapid City Journal

printed and published in Rapid City

County of Pennington and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

April 4, 2002

April 11, 2002

Cost of Printing Eighty - two dollars and sixteen cents (\$82.16)

Patricia K. Van Patten
 (Signature)

Legal Advertising Representative
 (Title)

4/11/02
 (Date Signed)

April 4, 11 L1109381

NOTICE OF APPLICATION NO. 2476-2 TO APPROPRIATE WATER

Notice is given that Reptile Gardens, Box 620, Rapid City, SD 57709, has filed an application for a water permit to appropriate 0.078 cubic feet of water per second (35 gallons per minute) from one well 120 feet deep located in the NE1/4SW1/4 Section 3-T15-R7E for commercial use. This well will serve as a standby water source for the business.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2476-2 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 the 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 April 22, 2002.

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 Granlund 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

RECEIVED

APR 12 2002

WATER RIGHTS
 PROGRAM

Permit No. 2476-2
Upper Cheyenne River - Water District

Other permit/license(s) associated with project: none

Contact Person & Address: Tom Garrigan, Maintenance Superintendent, Box 620, Rapid City, SD 57709

Report Of Examination Of Works

On, October 9, 2001, I made a thorough examination of the water use system constructed by Reptile Gardens of Box 620, Rapid City, SD 57701 holder of Permit No. 2476-2, bearing the priority of February 1, 2002 authorizing the diversion of 0.078 cu. ft. per second of the waters of groundwater for commercial purposes, in Pennington County.

The system is in the following condition good. The point of diversion is located 1865 feet north and 1430 feet east of the south west corner of Sec. 3, T1S-R7E with a longitude of -103.2737260 and a latitude of 43.989775. The works are capable of diverting and conveying to the place of use 0.078 cu. ft. per second of water which is to be used for commercial purposes. Water has been put to beneficial use to the maximum and the license should be issued for 0.078 cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period na
- 4) Exceptions to compliance are: none

Report On the Specifics of the System

Diversion Point Information:

- | | |
|---------------------------------------|------------------------------------|
| 1) Well Drilling Firm: <u>Unknown</u> | 2) No. of Wells <u>one</u> |
| 3) Depth(s) <u>120</u> feet | 4) Well log is available <u>no</u> |

Casing:

- | | | |
|-------------------------------|-------------------------------|----------------------|
| A.1) Diameter <u>5</u> inches | 2) Length <u>unknown</u> feet | 3) Type <u>steel</u> |
|-------------------------------|-------------------------------|----------------------|

Screen:

- | | |
|--------------------------------------|-------------------------------|
| 1) Type <u>unknown</u> | 2) Length <u>unknown</u> feet |
| 3) Static water level <u>10</u> feet | |

Pump\ Motor:

- | | |
|----------------------------------|-------------------------------|
| 1) Pump Make <u>General Pump</u> | 2) Pump Model <u>2-56114H</u> |
|----------------------------------|-------------------------------|

3) Capacity 35 GPM

4) Motor Make Franklin

5) Horsepower rating 1.5 hp

Distribution System:

1) Type PVC 2) Size 2 inches 3) Length $\cong$ 850 feet

COMMENTS: This well is a backup/standby. Water can be pumped with a submersible pump from the well, through a pump house where it is chlorinated, to a buried 5000-gallon metal reservoir. Water is pumped from the reservoir to two pressure tanks with a F&W centrifugal pump powered by a Baldor 3-HP electric Motor (Cat # JMM3158T, Sec 35L15-186). System has a backup centrifugal pump (Century Gould, 5-HP, 6-333214-02). From the pressure tanks water is distributed through a 2-inch PVC main line. Five 1 ½-inch diameter PVC lines tee off of the main line to supply water to: (1) the Main building where it is used for a Café, Bathrooms and a drinking fountain; (2) the Dome, where it is used for bathrooms, filling tanks and pools, and animal care; (3) the Shop; (4) Trained animal building; (5) Metal Building- exotic birds and two year round mobile home units.



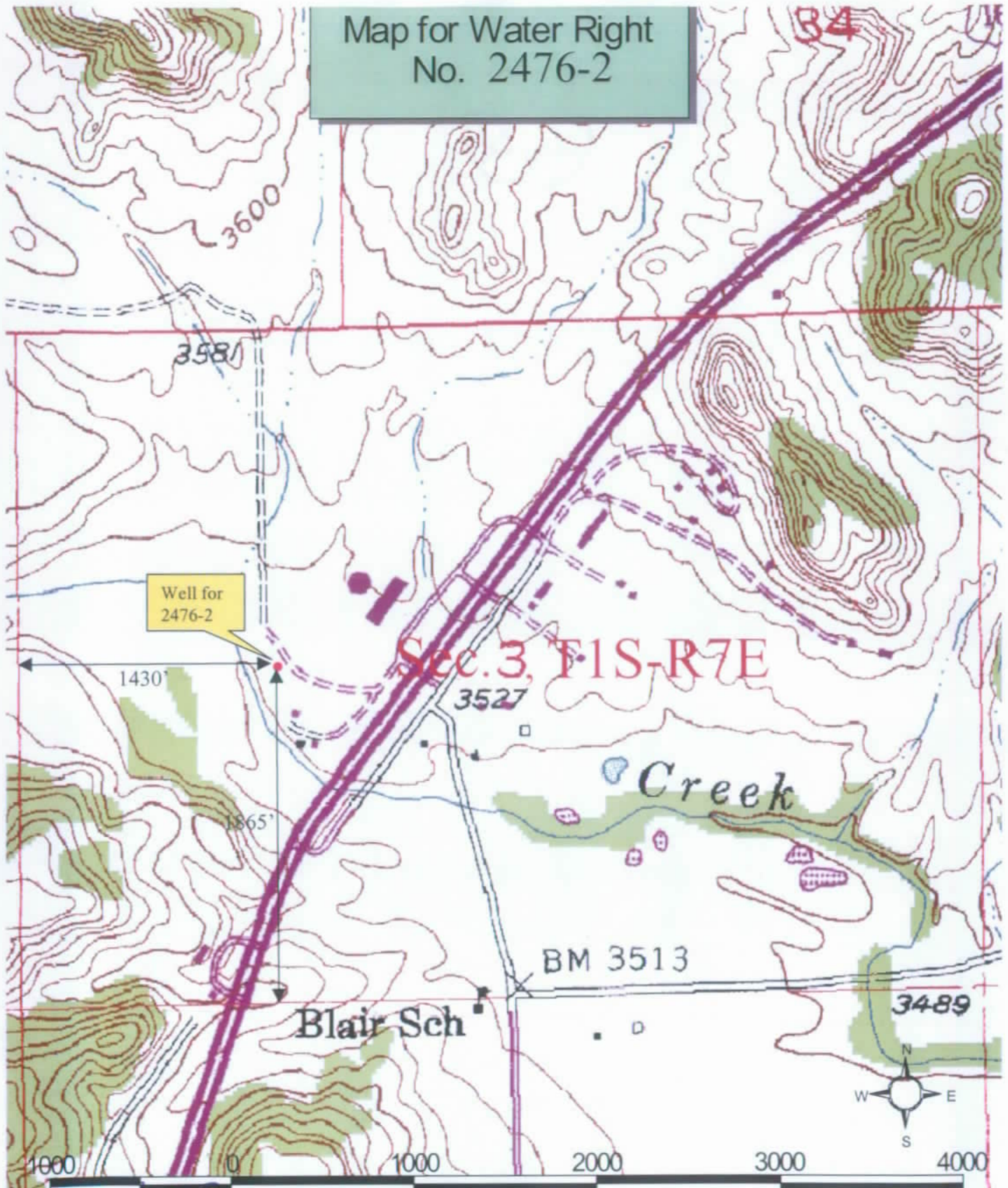
Ken Buhler

Natural Resources Engineering Specialist
DENR, Water Rights Program

Bmm 02

Date

Map for Water Right
No. 2476-2



Ken Buhler
Natural Resources Engineering Specialist
DENR-Water Rights Program



STATE OF SOUTH DAKOTA

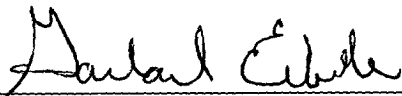
WATER LICENSE NO. 2476-2

(1) Reptile Gardens, PO Box 620, Rapid City SD 57709 made Application No. 2476-2, February 1, 2002 for a water permit to divert 0.078 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for commercial purposes. Permit No. 2476-2, with a priority date of February 1, 2002 was approved April 22, 2002 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of said water completed.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.078 cubic feet of water per second for beneficial use. The location of the diversion point is 1,876 feet north and 1,430 feet east of the southwest corner of Section 3-T1S-R7E (NE 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. This well serves as a backup supply for the business.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Reptile Gardens, PO Box 620, Rapid City SD 57709 the holder and/or owner of Water Right No. 2476-2 is issued a license to appropriate water, the right to use 0.078 cubic feet of water per second from groundwater (one well) with a priority date of February 1, 2002 from the location specified in (2) of this license for commercial purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2476-2 and subject to South Dakota State Law.



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

MAY 31 2002

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 31 2002

1883-2, 2476-2

Reptile Gardens
% Tom Garrigan
PO Box 620
Rapid City, SD 57709

Dear Mr. Garrigan:

Enclosed is Water License No. 1883-2 and Water Permit and License No. 2476-2. These are the final water right documents completing your process of obtaining a Water Right. Enclosed is Receipt No. 417072 in the amount of \$50.00 which you paid for the investigation and issuance of Water License No. 1883-2.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right Nos. 1883-2 & 2476-2, 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 Licenses, 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