

WATER PERMIT NO. 2507-2

Name of Applicant: Hani Shafai

Address: 528 Kansas City St, Suite #4, Rapid City SD 57702

Phone: 605 348-0538

Amount of Water Claimed: 0.067 cfs (30 gpm)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: suburban housing development

County: Pennington

Type of Waste Disposal System:

Location: 3 miles southwest of Rapid City

PRIORITY

Date Received: 5-28-03

Application/License Fee: \$100

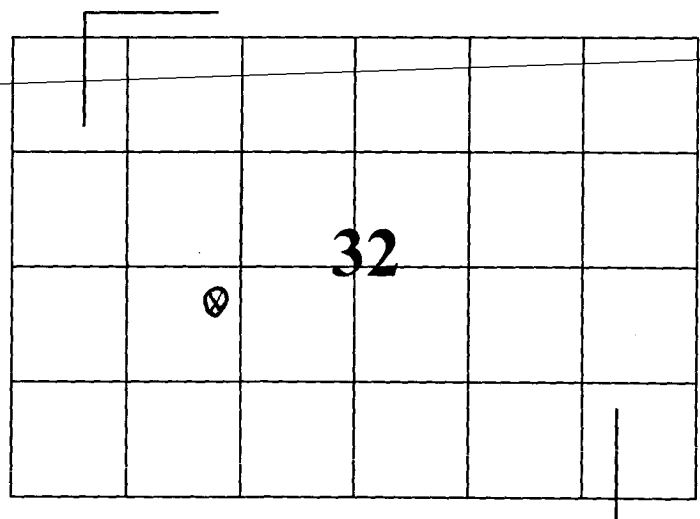
Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW ¼ SW ¼ Sec 32-T1N-R7E

Land to be Irrigated: NA



Depth of Well: 860 feet dee

Well Driller: : Cimarron Drilling Inc.

Remarks:

Type of Map: plat

Prepared by: JD Arleth, PE

Reviewed and the Number Assigned on: 5-28-03

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 2507-2**

Date of first receipt of application May 28, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2507-2 to Hani Shafai, 528 Kansas City St, Suite #4, Rapid City SD 57702 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. 2507-2 appropriates 30 gallons per minute (0.067 cubic feet of water per second) from one well (Deadwood Formation) 860 feet deep located in the NW ¼ SW ¼ Section 32-T1N-R7E.
2. The water appropriated shall be used for the purpose of 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. 2507-2 is August 18, 2003.
5. The date from which applicant may claim right is May 28, 2003.
6. One-fifth of the construction is to be completed on or before February 18, 2006.
7. All construction is to be completed on or before August 18, 2008.
8. Water is to be put to beneficial use on or before August 18, 2012.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

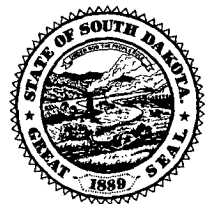
WATER MANAGEMENT BOARD

By: Garland Erbele

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

OCT 10 2003

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>2507-2</u>	(office use only) Hydrologic Unit <u>10120110</u>
	Basin <u>Upper Cheyenne</u>	
	Newspaper <u>Rapid City Journal, Rapid City</u>	

RECEIVED

MAY 28 2003

WATER RIGHTS
PROGRAM

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 HANI SHAFAI Phone 348-0538
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 528 KANSAS CITY ST SUITE #4 Rapid City State SD 57702
(Street, RR, or Box) (Zip Code)
- Amount of water claimed 0.067 *CFS or 30 **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 ARADWON
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 WELL IN THE
SW 4 OF SECTION 32 T10N R7E B4M
(NWY4 SWY4) County PENNINGTON COUNTY
- County or counties where water will be used PENNINGTON
- Annual period during which water is to be used YEAR AROUND 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)

WELL WILL FURNISH WATER TO 5 OR 6 PRIVATE RESIDENCES

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, ROBERT W. POWLES, 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.

1308 POWLES
HC 80 BOX 453
Piñonmont SD 57769 Signed Robert W. Powles
Subscribed and sworn to before me this 23rd day of May 19 2003

TAMRA BACKES
MY COMMISSION EXPIRES
AUGUST 29 2007

Tamra Backes
Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 7/8 Depth 860
- b) Casing Type STEEL Diameter 5 1/2 Thickness _____
- c) Screen Type NONE Diameter _____ Thickness _____
- d) Gravel Pack NONE Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 735
- f) Depth to Water (ground surface to water level) STATIC WATER LEVEL 500'
- g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others 1000'

2. Wastewater Disposal System Information

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

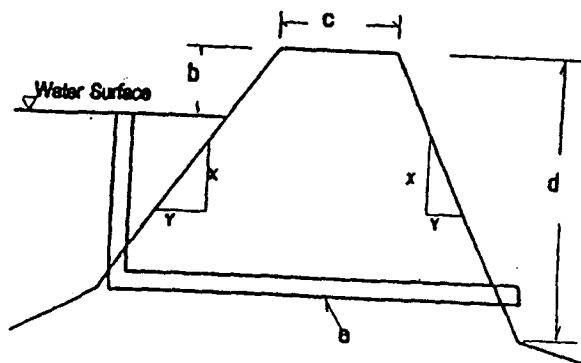
3. Dugout Information

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

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

DEADWOOD, SD, DO HEREBY CERTIFY
THAT THE PROPERTY SHOWN HEREON WAS SURVEYED AND STAKED UNDER
SUPERVISION AND THAT ALL DIMENSIONS ARE TRUE AND CORRECT TO
OF MY KNOWLEDGE AND BELIEF, DATED THIS 30 DAY OF
JANUARY 2011

● FOUND CORNER.
● SET PIN & CAP STAMPED
ARLETH & ASSOC LS3977



**ARLETH &
ASSOCIATES**
382 MAIN STREET
DEADWOOD, SD 57732
605-578-1637

PROJECT:
EXHIBIT SHOWING WELLHEAD
LOCATION
IN THE SW1/4 OF SECTION 32,
T1N, R7E, BHM, PENNINGTON
COUNTY, SOUTH DAKOTA.

DATE: 4/30/03
SCALE: 1" = 500
DRAWN BY: RN
JOB NO: 6205

2507.

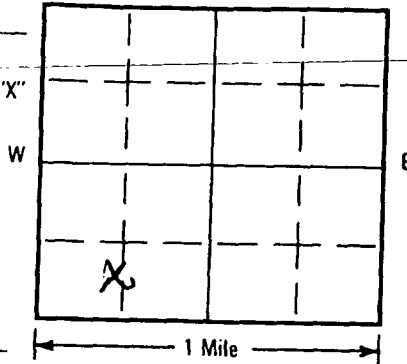
Fee for Application for Permit No. <u>2507-2</u> to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2507-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	100.00

Chief Engineer

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location 1/4 SW 1/4 Sec 32 Twp 1-N Rg 7-E
 County Pennington
 Please mark well location with an "X"



Well Completion Date

3-20-03

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 500 ft. from Septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary Air Water

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>15.5 LB/FT</u>	<u>5 1/2 IN</u>	<u>0 FT</u>	<u>737 FT</u>	<u>7 7/8 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Portland No. of Sacks 140 Grout Weight 9440 lb./gal From 0 ft. To 737 ft.
 Type III lb./gal _____ ft. _____ ft.
 Describe grouting procedure Pressure pack 7 HALL
Casing 65 bags Tremie top 80 bags

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? Beliefs

Laboratory sent to for water quality analysis

Owner to complete

Well Owner: Hani Shafai
 Business Name: DREAM Design Int.
 Address: 3202 West Main St.
Rapid City, SD 57702

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Broken limestone	0'	15'
MINNEAPOLIS siltstone	15'	310'
Lenses of Red SHALE	310'	340'
Multi colored siltstone	340'	355'
MADISON limestone	355'	690'
Multi colored clay shale	690'	700'
Multi colored sand	700'	
Red SHALE	700'	735'
Brown siltstone (readman)	735'	800'

STATIC WATER LEVEL

500

If flowing: closed in pressure _____

GPM flow _____ through _____ inch pip

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped

☐ Bailed

☒ Other

Describe: Air developed

Pumping Level Below Land Surface

760 ft. After 2 Hrs. 25 GPM

860 ft. After 2 Hrs. 30 GPM

If pump installed, pump rate _____ GPM

REMARKS

MANY CAVITIES in
MADISON - But DRY

This well was drilled under license # 568

And this report is true and accurate.

Drilling firm CIMARRON Drilling Inc.

Signature of License Representative

Michael J. Deuter

Signature of Well Owner or Equitable Property Holder:

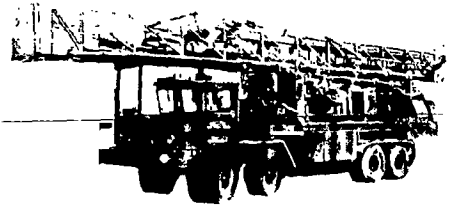
Date: _____

CIMARRON DRILLINGWATER WELLS - TEST HOLES - CATHODIC - PUMPS
PUMP SERVICE - SHALLOW PRODUCTION

9017 S. RIDGE TRAIL

STURGIS, SD 57785

605-347-3071



Gentlemen:

I am Requesting permission
To drill a test well until a Permit
CAN be obtained.

The well will be approximately
900' foot deep into the Madison
Aquifer.

It will be located in the W $\frac{1}{2}$ E $\frac{1}{2}$
+ E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 32 T4N SW $\frac{1}{4}$
PENNINGTON County SD, R.7E B4M

The well will be drilled for
HANI SHafai, Dream Design Int. INC.
It will be drilled for Residential Housing.
It will be 1200' + 1,360' away from the two
Closest existing wells in Countryside South
Respectfully submitted
Michael J. Deutch
Cimarron Drilling INC.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 10, 2003

Michael Deutsch
Cimarron Drilling
9017 S. Ridge Trail
Sturgis, SD 57785

Dear Mr. Deutsch:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for Hani Shafai, Dream Design International, Inc. prior to approval of a water permit. The test well is to be completed into the Madison aquifer in the SW¼ Section 32, T1N-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.

A SD Water Permit must be obtained before water from this well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Very truly yours,

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

Hani Shafai
Dream Design International Inc
3202 West Main Street
Rapid City, SD 57702

WATER PERMIT APPLICATION NO. 2507-2
HANI SHAFAI
July 21, 2003

Water Permit Application No. 2507-2 proposes to appropriate 30 gallons per minute (0.067 cubic feet of water per second) from one well (Deadwood Formation) 860 feet deep located in the NW¼ SW¼ Sec. 32, T1N-R7E, in Pennington County. The water is for a suburban housing development.

AQUIFER: Deadwood Formation (DDWD)

General:

The Deadwood Formation is a Cambrian aged sandstone, shale and shaley limestone. The formation underlies approximately 1,492,480 acres of Pennington County and contains an estimated 14,924,800 acre feet of recoverable water in storage (Allen and others, 1984). The aquifer is laterally extensive and underlies most of western South Dakota. There is limited aquifer test data available for wells in the Deadwood, and aquifer characteristics are not available, however the permeability of the formation is assumed to be "moderately low" (Rahn, 1979). The Deadwood Formation outcrops about two miles west of this well site (Strobel and others, 1999) and the top of the aquifer is reported to be approximately 700 feet below grade in this well. The aquifer is under artesian conditions in this area and the static water level of this well is reported to be 500 feet below grade. The quality of the water in the Deadwood Aquifer is difficult to assess due to the limited amount of data. The concentration of common ions in the Deadwood Aquifer water in this area appears to be quite low, with analysis from area wells indicating total dissolved solids of less than 500 ppm. The water quality probably deteriorates rapidly within a few miles downdip of the recharge area. Very high concentrations of radionuclides are present in some water supplied from the Deadwood aquifer. Recharge to the Deadwood aquifer, which occurs through direct infiltration of precipitation at the outcrop area and to a minor extent streamflow losses, has not been quantified.

Water Availability:

Development of the Deadwood Aquifer has generally been limited to a fairly small area in or near the outcrop area. This is due to the fact that most of the aquifer is overlain by productive aquifers. Relatively few wells have been completed into the Deadwood aquifer and the water use from the Deadwood Formation is fairly low. The aquifer is utilized primarily for domestic use near the outcrop area, however, there are 35 Water Rights/Permits appropriating water from the Deadwood aquifer in South Dakota. All of the appropriations from the Deadwood are from Lawrence (12), Meade (4), Pennington (17) and Custer (2) counties. Water use by appropriate rights/permits include: 15 permits/rights for commercial use; 14 permits/rights for suburban housing developments; 2 permits/rights for institutional use; 1 permits/rights for multiple use; 1 permit for irrigation use; 1 permit for domestic use; and 1 water right for RWS use. The combined diversion rate of these appropriate rights totals 5.121 cfs. It is doubtful that the combined use from the Deadwood exceeds 2,500 acre-feet per year (Water Rights, 2003c)

Since average annual recharge has not been quantified for the aquifer, a direct comparison between recharge and withdrawals can not be made. The Water Rights Program does however; monitor 6

observation wells completed into the Deadwood Aquifer in the Black Hills. Two observation wells PE-84A and PE-95D are located in this area.

Water Rights' Observation Well PE-84A is located approximately one mile north-northeast of this well. The hydrograph for the well, (figure 1) shows that water levels fluctuate seasonally as well as over 50 feet due to climatic conditions.

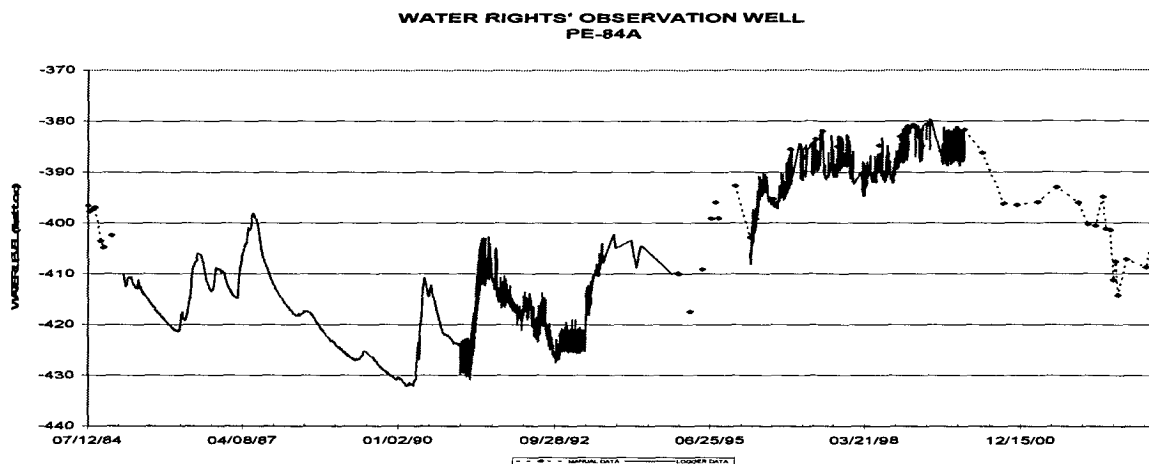


Figure 1. Hydrograph of a Deadwood Aquifer Observation Well located approximately one mile from this well site.

Water Rights' Observation Well PE-95D is located approximately two and one-half miles west of this well site. The hydrograph for the well, (figure 2) shows water level fluctuations only with less amplitude due to the unconfined conditions at the site.

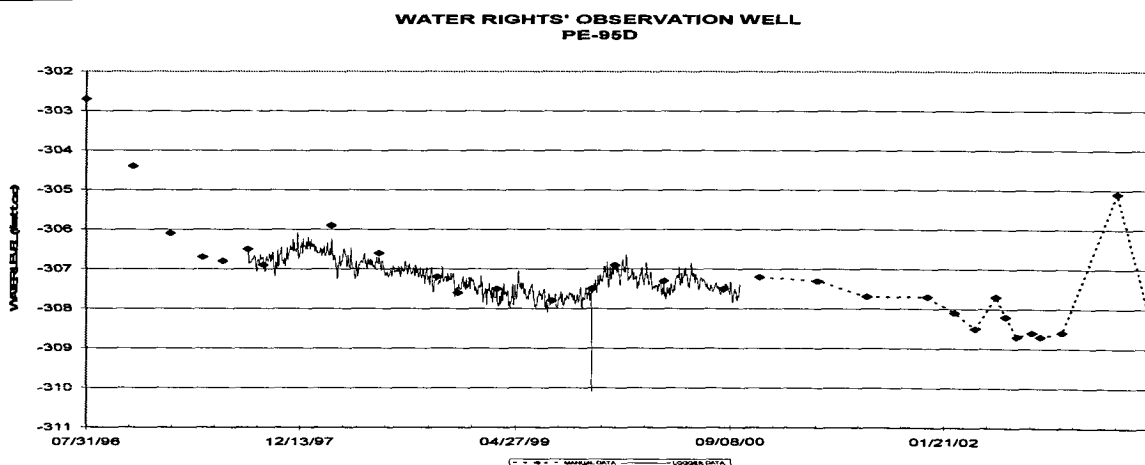


Figure 2. Hydrograph of a Deadwood Aquifer Observation Well located approximately three miles west of this well site.

Data from observation wells indicate the potentiometric surface of the Deadwood aquifer fluctuates seasonally in response to recharge events, with the highest water level occurring in late spring-early summer, and the lowest water level occurring in late winter-early spring. The water levels are generally higher in "wet" years and are generally lower in "dry" years. Observation well data

suggest that at the existing level of development, natural influences dominate the water levels of the aquifer and the effects of pumping as yet are not obvious.

Affects on Existing Rights:

There are a number of domestic wells completed into the Deadwood aquifer in this area (Water Rights, 2003_a). There are 23 Water Rights/Permits appropriating groundwater within approximately two miles of the well to be used for this appropriation (Water Rights, 2003_b). Eight Water Right/Permits within two miles appropriate water from the Deadwood aquifer. They include:

NUMBER	LAST NAME	AQUIFER	USE	CFS
1450-2	BEAR COUNTRY USA INC	DDWD	DOM	0.20
1819-2	STRATO-RIM ESTATES INC	DDWD	SHD	0.50
2045-2	WHISPERING PINES WATER	DDWD	SHD	0.08
2056-2	COUNTRYSIDE HOMEOWNERS	DDWD	SHD	0.30
2288-2	BLACK HILLS RESORTS, INC.	DDWD	COM	0.03
2295-2	COLONIAL PINE HILLS	DDWD	SHD	0.29
2305-2	SPRING CANYON WATER CO	DDWD	SHD	0.04
2449-2	OAKS WATER USERS ASSOC	DDWD	SHD	0.39

The nearest Deadwood appropriations are 2295-2 (approximately one-quarter mile northeast of this well) and 2305-2 (approximately one-half mile southwest of this well). Interference from pumping this Deadwood well is not expected to be a problem for adequate wells in the area because of the relatively low diversion rate proposed by this application and the distance between wells.

This application proposes to appropriate water in an area that received a fair amount of media attention during the summer of 2000 because of water shortages. The water shortages were the result of the area's dramatic population increase in recent years with suburban housing development infrastructures not keeping pace. Approval of this application should have no impact on residents experiencing water shortages due to system inadequacies.

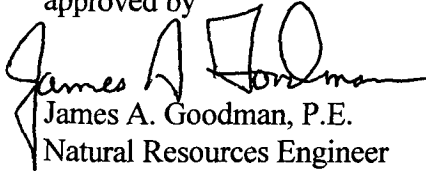
CONCLUSIONS:

1. The Deadwood 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.
3. This proposed housing development is located on the recharge area for the Madison and Minnelusa aquifers. The development utilizes individual septic system for effluent disposal.



Ken Buhler
Natural Resources Engineer

approved by



James A. Goodman, P.E.
Natural Resources Engineer

REFERENCES:

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

Rahn, P.H., 1979, Ground Water Resources of Western South Dakota: South Dakota School of Mines and Technology, U.S. Army Corps of Engineers, SDSM&T Project #2533

Strobel, M.L, Jarrell, G.J., Sawyer, J.F., Schleicher, J.R., Fahrenbach, M.D., 1999, Distribution of Hydrogeologic Units in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-743, 3 sheets, scale 1:100,000

Water Rights Program, 2003_a, "Domestic Well Log Files", DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights Program, 2003_b, "Observation Well Files", DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights Program, 2003_c, "Water Right/Permit Files", DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020

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. 2507-2, Hani Shafai**

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. 2507-2, Hani Shafai, 528 Kansas City Street, Suite #4, Rapid City SD 57702.

The Chief Engineer is recommending APPROVAL of Application No. 2507-2 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
July 23, 2003



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 24, 2003

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2507-2 to Appropriate Water to be published twice. Please publish the first notice on July 31, 2003 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 Hani Shafai, 528 Kansas City St Suite #4, Rapid City SD (Ph # 605-348-0538).

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. 2507-2

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

Date _____

We are in receipt of your letter of July 24, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 2507-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name _____

Newspaper _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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.

July 24, 2003

Hani Shafai
528 Kansas City St Suite 4
Rapid City SD 57702

Dear Mr. Shafai:

Water Permit Application No. 2507-2 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 Rapid City Journal printed at Rapid City, SD (Ph # 605-394-8300). 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

c: Bob Powles, HC 80 Box 483, Piedmont SD 57761

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.

Instruction to Newspaper - Publish first Notice on July 31, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2507-2 to Appropriate Water

Notice is given that Hani Shafai, 528 Kansas City St, Suite #4, Rapid City SD 57702 has filed an application for a water permit to appropriate 30 gallons per minute (0.067 cubic feet of water per second) from one well (Deadwood Formation) 860 feet deep located in the NW ¼ SW ¼ Section 32-T1N-R7E. The water is for a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2507-2 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 August 18, 2003.

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

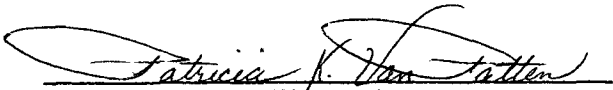
in the newspaper on the following two dates:

July 31, 2003

August 7, 2003

Cost of Printing Eighty-one dollars

and twelve cents (\$81.12)


(Signature)

Legal Advertising Representative
(Title)

8/7/03
(Date Signed)

July 31, Aug. 7 L1451313

NOTICE OF
APPLICATION NO. 2507-2
TO APPROPRIATE WATER

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

RECEIVED

AUG - 8 2003

WATER RIGHTS
PROGRAM

Permit No. 2507-2
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 on this day, 3/21/2012, made a thorough examination of the water use system constructed by Hani Shafai, 528 Kansas City Street Suite #4, Rapid City, SD 57702 holder of Permit No. 2507-2, bearing the priority date of May 28, 2003. Permit No. 2507-2 is authorized to appropriate a total of 0.067 cfs (30 gpm) from one well (Deadwood Formation) for suburban housing purposes, in Pennington & Meade County.

Inspection contact and relationship to
permit holder, if applicable:

Robert Powels,
Manager

A. Works used to divert the water:

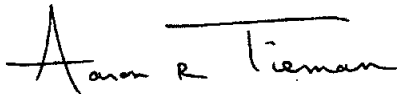
Grundfos submersible pump with 30 gpm capacity.

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

Suburban housing distribution lines.

The system is in the following condition good. The point of diversion (well) is located specifically at Lat/Lon – N44.001474/W-103.308059 which is the approximately 2365 feet north and 1105 feet east of the SW corner of Section 32, T1N-R7E. The works are capable of diverting 0.067 cfs which is to be used for suburban housing purposes. The license should be issued for 0.067 cfs.

All structures, wells and lands on map Y
Exceptions to compliance are: none.



Aaron Tieman
Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: June 30, 2015

FIELD INVESTIGATION REPORT FOR PERMIT NO. 2507-2

DATE OF INVESTIGATION:	March 21, 2012
NAME & ADDRESS OF PERMIT HOLDER	Hani Shafai 528 Kansas City Street Suite #4 Rapid City, SD 57702
INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Robert Powels (Manager)
DIVERSION POINT LEGAL LOCATION	NW¼ SW¼ Section 32, T1N-R7E
WATER SUPPLY SOURCE	Groundwater, Deadwood Formation

Other permit(s) associated with the project:

WELL INFORMATION:

- 1) Well Drilling Firm: **Cimarron Drilling**
- 2) Number of Wells: **One**
- 3) Depth(s): **860** feet
- 4) Well log available: **yes**

Casing:

- 1) Diameter: **5½** inches
- 2) Length: **737** feet
- 3) Type: **Steel**

Screen:

- 1) Type: **Open hole**
- 2) Length: **N/A** feet
- 3) Static water level: **500** feet

Pump:

- 1) Make: **Grundfos**
- 2) Model: **30S65-5**
- 3) Capacity: **30** GPM

Motor:

- 1) Make: **Franklin**
- 2) Model: **1587624511**
- 3) Horsepower rating: **10** hp

DISTRIBUTION LINES OR CANALS:

- 1) Type: **Suburban housing distribution lines.**

PERMIT QUALIFICATIONS:

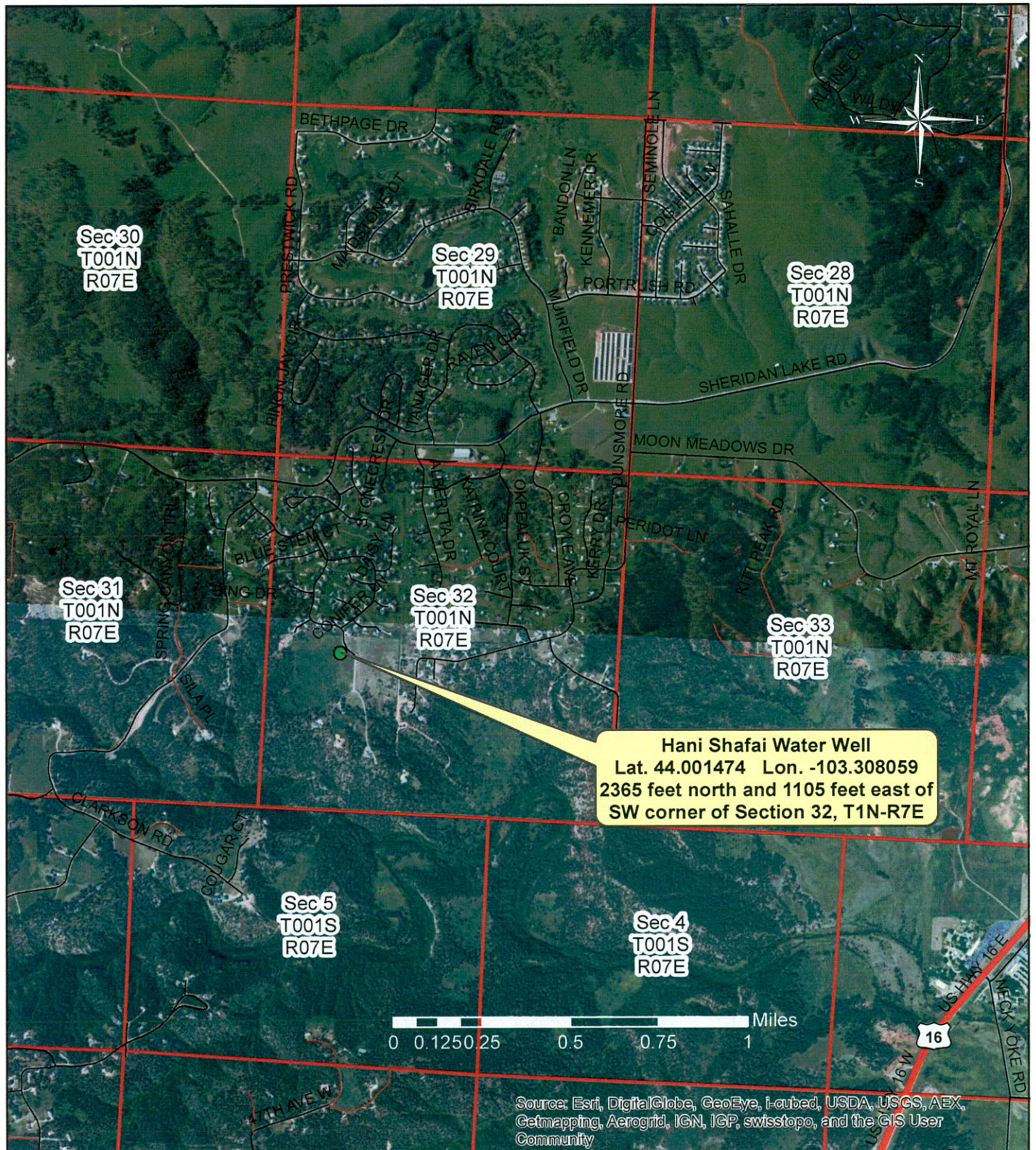
- 1) Special qualifications to permit being abided by **Yes**
- 2) All structures, wells and lands on map **Yes**

COMMENTS:

Water Right 2507-2

Hani Shafai

March 21, 2012



Aaron R. Tieman

Aaron Tieman
Natural Resources Engineer II
DENR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 27 2015

2507-2

Hani Shafai
528 Kansas City St, Suite 4
Rapid City SD 57702

Dear Mr. Shafai:

Enclosed is Water License No. 2507-2. 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. 2507-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2507-2

(1) Hani Shafai, 528 Kansas City St, Suite 4, Rapid City SD 57702 made Application No. 2507-2, May 28, 2003 for a water permit to divert 0.067 cubic feet of water per second from ground water (one well, Deadwood Formation), Pennington County, South Dakota for suburban housing development purposes. Permit No. 2507-2, with a priority date of May 28, 2003 was approved August 18, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 18, 2008 and for the application to beneficial use of said water on or before August 18, 2012.

(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 0.067 cubic feet of water per second for beneficial use.

The location of the diversion point is approximately 2,365 feet north and 1,105 feet east of the SW corner of Section 32, T1N, R7E (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 Hani Shafai, 528 Kansas City St, Suite 4, Rapid City SD 57702 the holder and/or owner of Water Right No. 2507-2 is issued a license to appropriate water, the right to use 0.067 cubic feet of water per second from ground water – one well (Deadwood Formation) with a priority date of May 28, 2003 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. 2507-2 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.



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

AUG 27 2015

date

