

WATER PERMIT NO. 2524-2

Name of Applicant: LPS, Inc.

Address: 24992 Sylvan Lake Road, Custer SD 57730

Phone: 605 673-3600

Amount of Water Claimed: 0.10 cfs

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Custer

Type of Waste Disposal System:

Location: ½ mile north of Custer

PRIORITY

Date Received: 3-29-04

Application/License Fee: \$100

Corrected Application Received: 4-2-04

Period of Annual Use: January 1 – December 31

Remarks: for use at Fork Welikit Family Campground

Diversion Point: NW ¼ NE ¼ Sec 24-T3S-R4E

Land to be Irrigated: NA

Depth of Well: 190 feet deep

Well Driller: : Howe Well Drilling

Remarks:

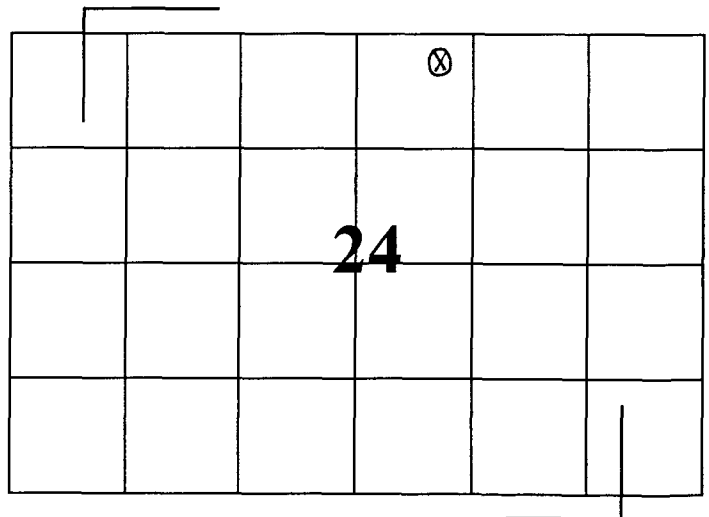
Type of Map: plat

Prepared by: Jack H Kunst, PE

Reviewed and the Number Assigned on: 4-2-04

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



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. 2524-2 (office use only)
Hydrologic Unit 10120109
Basin Upper Cheyenne
Newspaper Custer Co. Chronicle, Custer

RECEIVED
MAR 29 2004
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 LPS, INC (check one) ☒ Owner ☐ Tenant/lessee Phone 605-673-3600
Mailing Address 24992 Sylvan Lake Road, Custer State SD 57730
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.10 *CFS or 45 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply PRECAMBRIAN Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 WELL -
PLAT 1) TRACK 10 1/2 TRACK A 1) CUSTER Sub Division
(See Attached Legal XNW1/4 NE1/4 Sec 24- County Custer
T35-R4E
- County or counties where water will be used Custer
- Annual period during which water is to be used Year Round 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)
at Fort Wellbit Family Campground

STATE OF SOUTH DAKOTA)

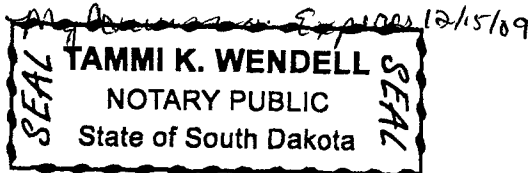
County of Custer SS

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)

I, Paul LeClair, President of LPS, INC, 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 Paul LeClair

Subscribed and sworn to before me this 26 day of March 2004



Notary Public signature Tammi Wendell

**SOUTH DAKOTA
WATER PERMIT NO. 2524-2**

Date of first receipt of application March 29, 2004.

Date of return to applicant for corrections, amendments or changes March 30, 2004.

Date of receipt of corrected application April 2, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2524-2 to LPS Inc., 24992 Sylvan Lake Road, Custer SD 57730 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. 2524-2 appropriates 0.10 cubic feet of water per second from one well (Precambrian Aged Crystalline Rock) 190 feet deep located in the NW ¼ NE ¼ Section 24-T3S-R4E.
2. The water appropriated shall be used for the purpose of commercial use at Fort Welikit Family Campground 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. 2524-2 is July 5, 2004.
5. The date from which applicant may claim right is March 29, 2004.
6. One-fifth of the construction is to be completed on or before January 5, 2007.
7. All construction is to be completed on or before July 5, 2009.
8. Water is to be put to beneficial use on or before July 5, 2013.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

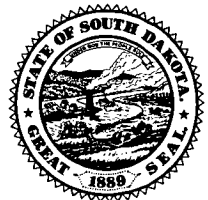
The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having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

WATER MANAGEMENT BOARD

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

AUG 17 2004

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8" Depth 190'
- b) Casing Type Steel Diameter 6" Thickness .250 wall
- c) Screen Type None Diameter _____ Thickness _____
- d) Gravel Pack None Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 100'
- f) Depth to Water (ground surface to water level) 18' (Static Level)
- g) Distance to nearest existing domestic well:
On applicants property NONE On property owned by others 1/4 - 1/2 mile

2. Wastewater Disposal System Information

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

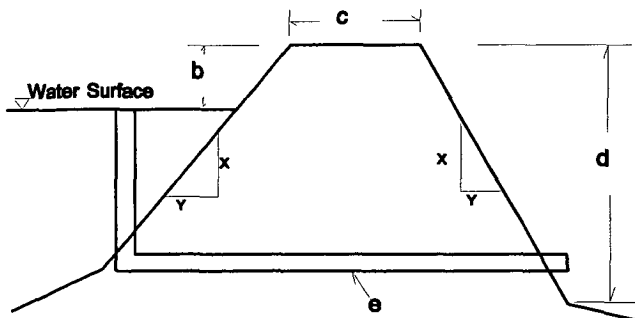
3. Dugout Information

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

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

Date March 30, 20 04

RECEIVED OF LPS Inc., 24992 Sylvan Lake Rd, Custer SD 57730

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

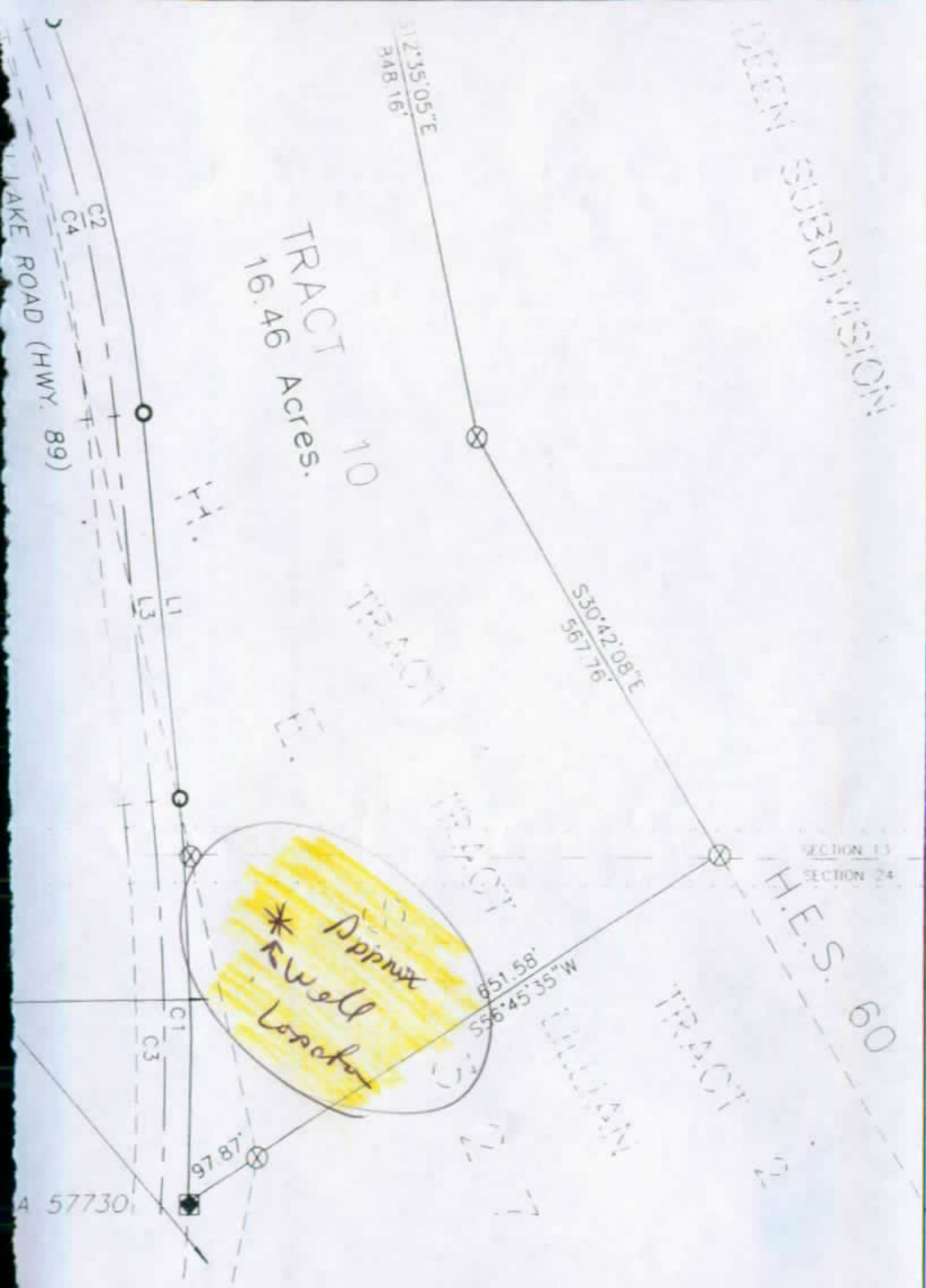
Fee for Application for Permit No. <u>2524-2</u> to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2524-2</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

No.

001236

By

Darla O. Ebele
Chief Engineer
gm



ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT
 OPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE

in A. Wells

CHARD SUBDIVISION

PLAT OF TRACT 10 OF TRACT A OF CHARD SUBDIVISION (TRACT 10 CONTAINS ALL OF TRACT 1 OF TRACT LILLIAN OF RAYMOND SUBDIVISION [RECORDED IN PLAT BOOK 11 PAGE 337] AND A PORTION OF GOVERNMENT LOT 17 OF SECTION 24) ALL LOCATED IN SW1/4 SE1/4 OF SECTION 13, AND THE NE1/4 OF SECTION 24, T3S, R4E, B.H.M. CUSTER COUNTY, SOUTH DAKOTA

LINE AND CURVE TABLE
FOR CENTERLINE OF SILVAN LAKE ROAD

STATION	CHORD	BEARING
1+00	100.00	N 89° 45' 00" W
2+00	200.00	N 89° 45' 00" W

STATION	CHORD	BEARING	CHORD	BEARING	CHORD	BEARING
0+00	100.00	N 89° 45' 00" W	100.00	N 89° 45' 00" W	100.00	N 89° 45' 00" W
1+00	100.00	N 89° 45' 00" W	100.00	N 89° 45' 00" W	100.00	N 89° 45' 00" W

LINE AND CURVE TABLE
FOR PROPERTY LINE FROM SILVAN LAKE ROAD

STATION	CHORD	BEARING
1+00	100.00	N 89° 45' 00" W
2+00	200.00	N 89° 45' 00" W

STATION	CHORD	BEARING	CHORD	BEARING	CHORD	BEARING
0+00	100.00	N 89° 45' 00" W	100.00	N 89° 45' 00" W	100.00	N 89° 45' 00" W
1+00	100.00	N 89° 45' 00" W	100.00	N 89° 45' 00" W	100.00	N 89° 45' 00" W

LEGEND

1. CORNER SET THIS SURVEY
PEBBLE WITH ALUMINUM CAP
MARKED BRYANT L.S. 4955

2. CORNER FOUND THIS SURVEY
PEBBLE WITH ALUMINUM CAP
MARKED BRYANT L.S. 4956

3. U.S.S. ALUMINUM MONUMENT SET FROM
PREVIOUS SURVEY L.S. # 2895

4. CORNER FOUND THIS SURVEY
B.L.M. G.L.O. BRASS MONUMENT

5. CORNER FOUND THIS SURVEY
B.L.M. G.L.O. STONE MONUMENT

NOTE

THE SURVEY LINE FROM THE
PEBBLE TO THE B.L.M. G.L.O. MONUMENT
IS A 100' LINE.

STATE OF DAKOTA

THE SURVEY LINE FROM THE
PEBBLE TO THE B.L.M. G.L.O. MONUMENT
IS A 100' LINE.

NOTE

THE SURVEY LINE FROM THE
PEBBLE TO THE B.L.M. G.L.O. MONUMENT
IS A 100' LINE.



CVT LOT 17

CHARD SUBDIVISION

PREPARED BY
JACK H. KNIST
BRYANT SURVEYING
47 N. 2ND ST.
CUSTER, SOUTH DAKOTA 57730
(605) 673-2394

Section
13
Section
24

The well
is
here

STATE OF SOUTH DAKOTA

CITY OF CUSTER

COUNTY OF CUSTER

I, Jack H. Knist, do hereby certify that we are the owners of the land shown and described herein and that

we do hereby approve the survey and within plat of said land and further certify that development

on the 10th day of October, 2004, we are a notary public personally appeared Jack H. Knist and Tamara With

known to me to be the persons described in the foregoing certificate and acknowledged to me that they executed the same

NOTARY PUBLIC Cheryl Scott MY COMMISSION EXPIRES 11/29/2005I, Jack H. Knist, do hereby certify that we are the owners of the land shown and described herein and that

we do hereby approve the survey and within plat of said land and further certify that development

on the 10th day of October, 2004, we are a notary public personally appeared Jack H. Knist and Tamara With

known to me to be the persons described in the foregoing certificate and acknowledged to me that they executed the same

NOTARY PUBLIC Cheryl Scott MY COMMISSION EXPIRES 11/29/2005

CERTIFICATE OF DIRECTOR OF FORESTRY

DIRECTOR OF FORESTRY Robert J. Hurling, do hereby certify that I have on record a copy of the within described land and that

the same is located in the SW1/4 SE1/4 of Section 13, Township 13N, Range 4E, County Custer, State South Dakota.

DIRECTOR OF FORESTRY Robert J. Hurling, do hereby certify that I have on record a copy of the within described land and that

the same is located in the SW1/4 SE1/4 of Section 13, Township 13N, Range 4E, County Custer, State South Dakota.

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2524-2

CHARD SUBDIVISION

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LINE AND CURVE TABLE
FOR CENTERLINE OF SYLVAN LAKE ROAD

NUM	DISTANCE	BEARING
L3	452.63'	N5°57'54"W
L4	654.64'	N21°45'21"W

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C3	10°27'28"	578.98'	3172.08'	N0°44'10"W	578.17'
C4	15°47'17"	460.84'	1672.44'	N13°51'38"W	459.39'

LINE AND CURVE TABLE
FOR PROPERTY LINE (ROW SYLVAN LAKE ROAD)

NUM	DISTANCE	BEARING
L1	452.63'	N5°57'53"W
L2	372.27'	N21°45'21"W

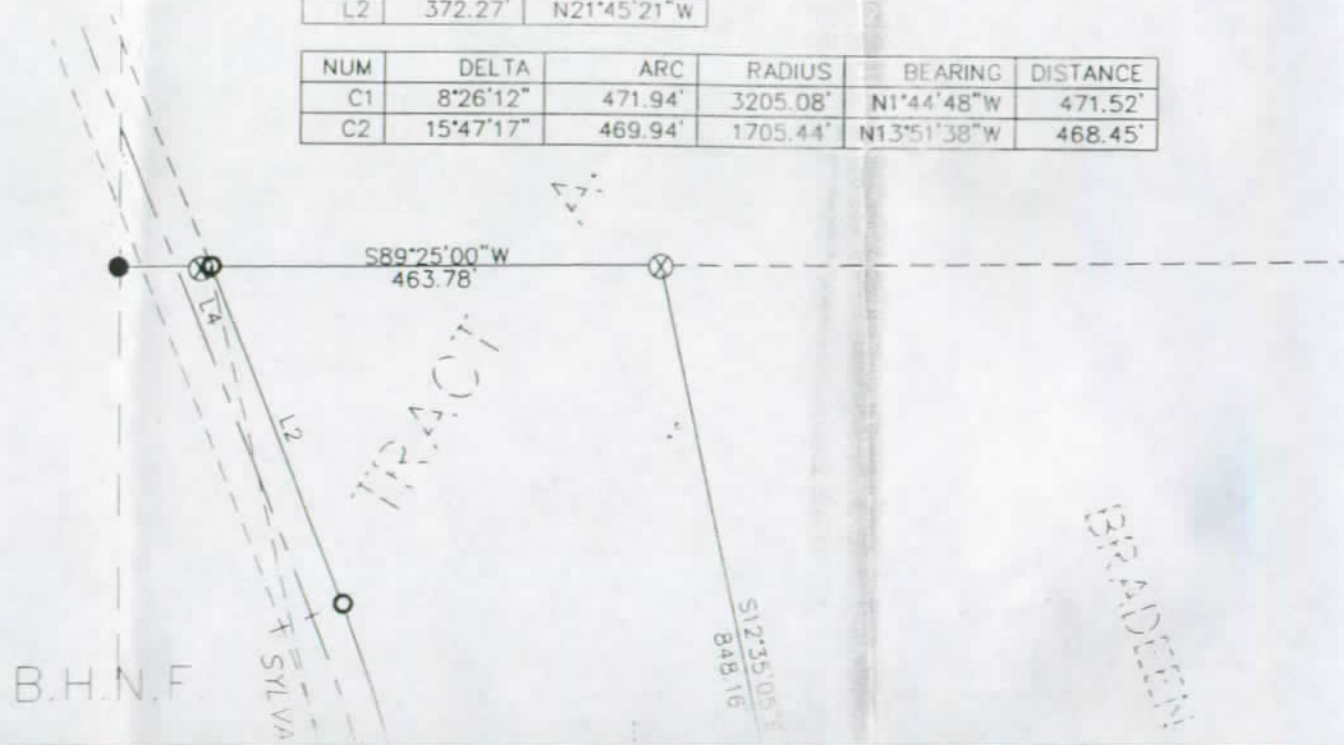
NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	8°26'12"	471.94'	3205.08'	N1°44'48"W	471.52'
C2	15°47'17"	469.94'	1705.44'	N13°51'38"W	468.45'

LEGEND

● CORNER SET THIS SURVEY
REBAR WITH ALUMINUM CAP
MARKED BRYANT R.L.S. 4896

○ CORNER FOUND THIS SURVEY
REBAR WITH ALUMINUM CAP
MARKED BRYANT L.S. 4896

□ U.S.F.S. ALUMINUM MONUMENT SET FROM



CERTIFICATE OF DIRECTOR OF EQUALIZATION

DIRECTOR OF EQUALIZATION OF CUSTER COUNTY DO HEREBY CERTIFY THAT I HAVE ON RECORD A COPY OF THE WITHIN DESCRIBED PLAT, DATED THIS _____ DAY OF _____, 20____.

CERTIFICATE OF COUNTY TREASURER

TREASURER OF CUSTER COUNTY DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON THE WITHIN DESCRIBED LANDS ARE FULLY PAID ACCORDING TO THE RECORDS OF MY OFFICE.

PAID THIS 23 DAY OF October, 2002.
TREASURER: Anna Palmer

STATEMENT OF SURVEYOR

FOR BRYANT SURVEYING

JACK H. KNUST, REGISTERED LAND SURVEYOR NO. 4896 OF THE STATE OF SOUTH DAKOTA, DO HEREBY STATE THAT BEING SO AUTHORIZED, THE SURVEY AND WITHIN PLAT
LAND SHOWN AND DESCRIBED HEREON WERE MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF,

THE WITHIN PLAT IS A REPRESENTATION OF SAID SURVEY. IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 4TH DAY OF OCTOBER, 2002.

BRYANT SURVEYING BY JACK H. KNUST, REGISTERED LAND SURVEYOR Jack H. Knust



CERTIFICATE OF HIGHWAY AUTHORITY:

THE LOCATION OF THE PROPOSED ACCESS ROAD ABUTTING THE COUNTY OR STATE HIGHWAY OF THE CITY STREET, AS SHOWN HEREON IS HEREBY APPROVED.
ANY CHANGE IN THE LOCATION OF THE PROPOSED ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.
HIGHWAY AUTHORITY: _____

RESOLUTION OF GOVERNING BOARD

STATE OF SOUTH DAKOTA

CITY OF CUSTER S.S.

WHEREAS THERE HAS BEEN PRESENTED TO THE CITY OF CUSTER, SOUTH DAKOTA, THE WITHIN PLAT OF THE ABOVE DESCRIBED LANDS AND IT APPEARING TO THE COUNCIL THAT:
THE SYSTEM OF STREETS SET FORTH THEREIN CONFORM TO THE SYSTEM OF STREETS OF THE EXISTING PLATS OF THE MUNICIPALITY.

PROVISIONS OF ANY THREE MILE LIMIT SUBDIVISION HAVE BEEN FULLY COMPLIED WITH,
TAXES AND SPECIAL ASSESSMENTS UPON THE SUBDIVISION HAVE BEEN FULLY PAID, AND
THE PLAT AND SURVEY THEREOF HAVE BEEN EXECUTED ACCORDING TO LAW.

IT IS THEREFORE, BE IT RESOLVED THAT SAID PLAT IS HEREBY APPROVED IN ALL RESPECTS, THIS _____ DAY OF _____, 20____.

FOR THE CITY OF CUSTER:

CITY FINANCE OFFICER OF THE CITY OF CUSTER, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING HELD ON THE _____ DAY OF _____, 20____,
CUSTER CITY COUNCIL, BY RESOLUTION DID APPROVE THE PLAT AS SHOWN HEREON.

CUSTER CITY FINANCE OFFICER: _____

CERTIFICATE OF REGISTER OF DEEDS

FILED FOR RECORD THIS _____ DAY OF _____, 20____, AT _____ O'CLOCK ____ M.

AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____

REGISTER OF DEEDS, CUSTER COUNTY _____

2524-2

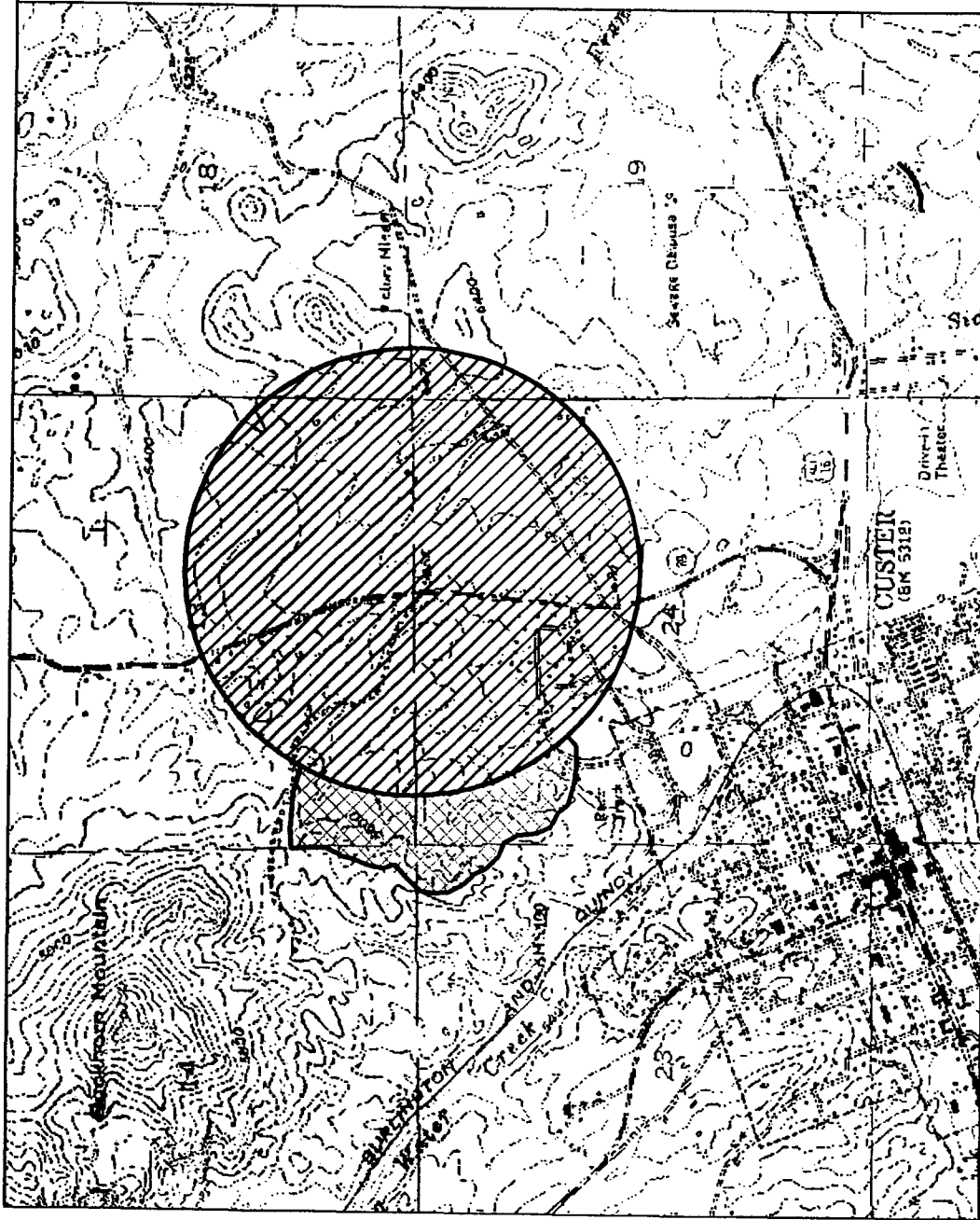
Source Water Assessment
for the
Fort Welikt Campground
Public Water Supply System
EPAID No. 2236

Prepared by the
South Dakota Department of Environment and Natural Resources
523 East Capitol Avenue
Pierre, South Dakota 57501

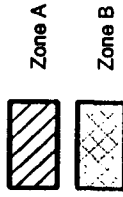
November 24, 2003

Source Water Area for the Fort Welikit Campground

Public Water Supply System EPAID #22236



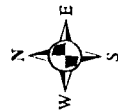
Explanation



Potential Contaminant Source
(See Table 2)

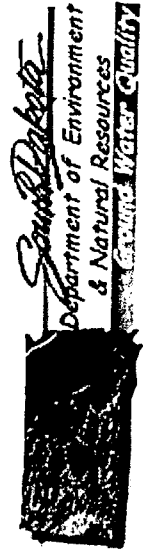
Publication Date: 10/22/2003

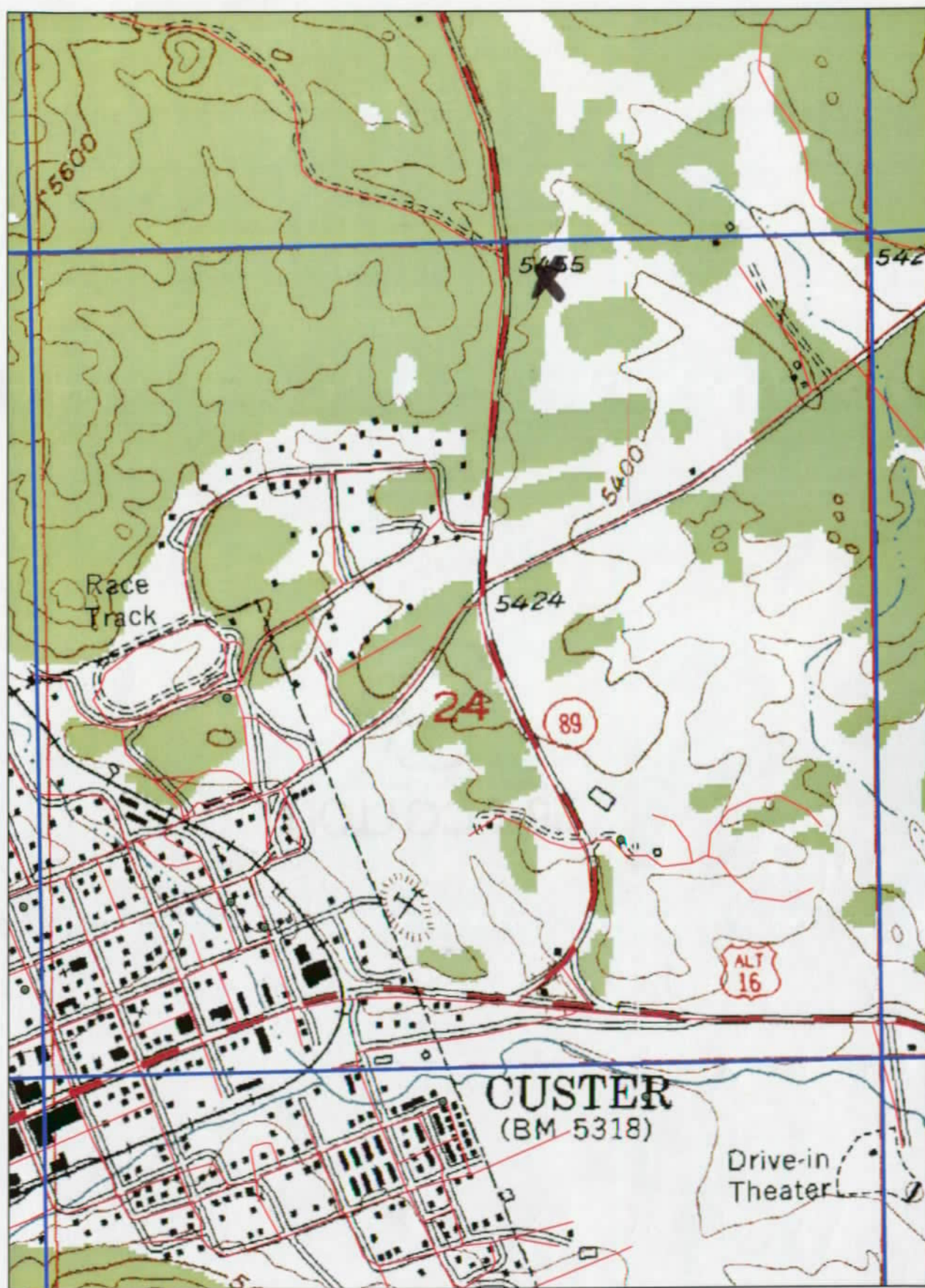
This map is date specific. As additional data become available, interpretations may be revised and the map may be updated by the Department of Environment and Natural Resources. Information shown on this map should not be used at scales larger than 1:24,000.



0.5 0 0.5 Miles

Scale 1:24,000





Korner -

LPS, Inc owns
the Real Estate -
Front Welikid is
the campground on Watne

Questions - Call me



888-946-2267
605-673-3600

Paul LeClair

Cabins • RVs • Tents • Horse Camping
24992 Sylvan Lake Road, Custer, S.D. 57730
<http://www.blackhillsrv.com>

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

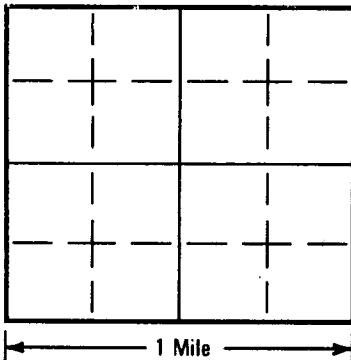
Location SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 13 Twp 35 Rg 45
 County Custer

Please mark well location with an "X"

W

E

Well Completion Date

3/03

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 300 ft. from Drainfield (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

RotaryCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>16</u> LB/FT	<u>6</u> IN	<u>0</u> FT	<u>70</u> FT	<u>8 1/2</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Portland Cement No. of Sacks 10 Grout Weight 16 lb./gal From 0 ft To 70 ft
 _____ lb./gal _____ ft _____ ft

Describe grouting procedure _____

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 Tablets

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis

MidContinentWell Owner: Paul Le ClairBusiness Name: Fort SplikitAddress: Sylvan Lake Rd.
Custer, SD 57730

WELL LOG:

DEPTH

FORMATION	DEPTH	
	FROM	TO
<u>Dirt</u>	<u>0</u>	<u>10</u>
<u>Soft silt</u>	<u>10</u>	<u>65</u>
<u>Hard silt</u>	<u>65</u>	<u>190</u>

STATIC WATER LEVEL 18 Feet

If flowing: closed in pressure _____ PSI

GPM flow 35 through _____ inch pipeControlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: _____☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

JAN 14 2004

This well was drilled under license # 363

WATER RIGHTS PROGRAM

And this report is true and accurate.

Drilling firm Howe Well Drilling

Signature of License Representative:

Charles Howe

Signature of Well Owner or Equitable Property Holder:

Date: _____

1-24-04

April 17, 2003

Dept. of Environment & Natural Resources

Surface Water Quality Program

Joe Foss Building

523 E. Capitol

Pierre, SD 57501

Dear Mr. Ken Beuhler,

I am requesting to drill a test hole for the future sight of Fort Welikit RV Park and Campground 24992 Sylvan Lake Rd. Custer, SD 57730. The owners name is Paul LeClaire. The legal description is SE corner to S $\frac{1}{4}$ Section 24, T3S, R4E.

Sincerely

Charles Howe



Howe Well Drilling and Excavating

PO Box 766

Custer, SD 57730

RECEIVED

APR 18 2003

WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 22, 2003

Charles Howe
Howe Well Drilling and Excavating
PO Box 766
Custer, SD 57730

Dear Mr. Howe:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for Fort Welikit RV Park and Campground, 24992 Sylvan Lake Rd. Custer, SD, (Paul LeClaire), prior to approval of a water permit. The test well is to be completed into the Precambrian Crystalline Rock in the SE corner of S $\frac{1}{4}$ Section 24, T3S-R4E. 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 2, 2004

Paul LeClair
Fort Welikit
24992 Sylvan Lake Road
Custer SD 57730

Dear Mr. LeClair:

I am writing in regard to a well driller's report filed by Howe Well Drilling. The report shows a new well has been completed for Fort Welikit in Custer County. Based on the information in the report, you may need a water permit for this water use.

1. According to state law, a water permit is needed for any water use except for reasonable, private domestic use. Examples of commercial uses that require a water rights permit are: truckstops; motels; restaurants; bars; clubs; tourist attractions; campgrounds or any other business operation.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Enclosed are application forms and instruction sheet to apply for a water permit. The completed forms with the application fee and map can be returned to: Water Rights Program, 523 E. Capitol, Pierre, SD 57501. Please respond by April 1, 2004.

A review of our files indicates that Water Right No. 1603-1, was issued to you for Fort Welikit located in Section 31-T3N-R7E in Meade County.

If you believe your water use does not require a water permit or that you have an existing permit, or if help is needed completing the application forms, please contact Ron Duvall or me at (605) 773-3352. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak
Water Rights Program

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 30, 2004

LPS Inc.
c/o Paul LeClair
24992 Sylvan Lake Rd
Custer SD 57730

RECEIVED

APR 02 2004

WATER RIGHTS
PROGRAM

Dear Mr. LeClair:

Thank you for submitting the *Application for a Permit to Appropriate Water* for commercial use at Fork Welikit Family Campground. In order to complete the application the following is required.

I have reviewed the plat maps you submitted. The map shows the location of Section 13 and Section 24 but it does not reference a section corner. Enclosed are computer generated topographic maps prepared in our office showing Section 24. On one of the maps, please mark the location of the well with an "X" and return the map to us. It appears that the well will be located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24-T3S-R4E.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

*I thought the
maps we're
showing it -*

I "X"ed it

IT is in Sec 24

WATER PERMIT APPLICATION NO. 2524-2
LPS, INC.
MAY 27, 2004

Water Permit Application No. 2524-2 proposes to appropriate 0.10 cubic feet of water per second (cfs), from one well (Precambrian Crystalline Rock aquifer) 190 feet deep located in the NW¼ NE¼ Sec. 24, T3S-R4E, Custer County. The water is for commercial use at Fort Welikit Family campground.

AQUIFER: Precambrian aged Crystalline Rock (CRSL)

Geology and Aquifer Characteristics:

The crystalline rock in this area consists of metamorphosed greywacke (sandstone or fine-grained conglomerate), and quartz-mica schist (Redden and Norton, 1975), and (Strobel and others, 1999). The crystalline rock is exposed at the surface throughout this area, except where it is covered by alluvium along French Creek and its tributaries. Geologically, this is a fairly complex area. At least two faults are present in the vicinity of the City of Custer (Redden and Norton, 1975) and the beds in this area dip steeply and are vertical in places (Redden, 1987 personal communication). The faults, orientation of the beds, intrusives and lithologic changes within the rock may all affect the groundwater flow system in the area. Groundwater is derived primarily through joints, fractures and foliation within the rock. The distribution, orientation and interconnection of these zones of secondary porosity and permeability are unpredictable, and the aquifer characteristics are site specific and highly variable. The aquifer is under unconfined conditions and the aquifer's water table is expected to be about the same elevation as local streams. The static water level of the test well constructed at this site was reported to be 18 feet below grade. Recharge to the crystalline rock occurs through infiltration of precipitation and steamflow losses. Average annual recharge to the aquifer has not been quantified.

The Water Rights Program monitors an observation well completed into the Crystalline aquifer within one mile in this well site. The hydrograph for this well is shown in figure 1.

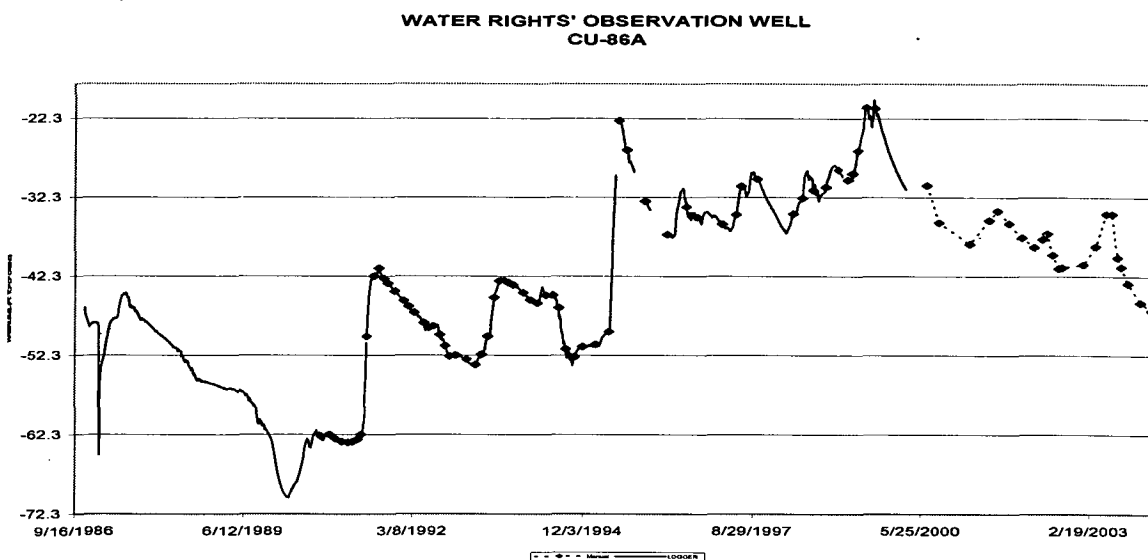


Figure 1. Hydrograph of Water Rights Observation Well located approximately one southwest of 2524-2

The hydrograph shows that the water levels in the aquifer fluctuate nearly 50 feet in response to varying climatic conditions, rising during wet years and gradually declining water levels during dry years. The hydrograph appears to simply reflect climatic conditions. Since the affects of existing withdrawals are not apparent, the observation well data indicates that water is available in this area for this appropriation.

Review of Existing Water Rights:

There are a number of domestic wells completed into the crystalline rock in this area and there are nine Water Rights appropriating water from the aquifer within approximately one and one-quarter miles of this site. The water rights include:

PERMIT NO	NAME	USE	CFS	ACRES
470-2	CITY OF CUSTER	MUN	0.10	
1924-2	CITY OF CUSTER	MUN	0.04	
1956-2	VALLEY MOTEL	COM	0.07	
2003-2	THE ROOST RESORT	COM	0.02	
2024-2	CUSTER SCHOOL DIST 16-1	IRR	0.02	1.50
2026-2	JAN CHARLES GRAY	COM	0.02	
2071-2	HILLS MATERIALS COMPANY	IND	0.10	
2107-2	CITY OF CUSTER	MUN	2.03	
2146-2	CITY OF CUSTER	MUN	0.50	

Table 1. Water Permits/Rights within approximately one mile of 2504-2

There have been a number of water related controversies in the vicinity of the City of Custer over the years. Recently, on three occasions, (1992, 1994, and 1997), the Water Management Board denied water permit applications that proposed irrigation within the City of Custer city limits essentially for "Public Interest" reasons. The Board suggested that any new water permit application for irrigation within the city limits should be made by the City of Custer, thus enabling the City the ability to impose watering restrictions on all people watering grass within the city limits. Although Water Permit Application No. 2524-2 is neither an application for irrigation, nor within the city limits, the well that is to supply this appropriation is approximately one-half mile from the city limits of the City of Custer.

Since the porosity of the Crystalline aquifer is small, 0.03-0.10, (Driscoll and others, 2002) drawdown from a pumped well or wells, may extend over a fairly widespread area. The nearest existing groundwater appropriation, Water Right No. 2024-2, Custer School District 16-1, is located over one-half mile southwest of the well that is to supply water to this appropriation. It is not probable that drawdown from this proposed appropriation would be measurable, in the School District well. Any interference with the School District well or any other area wells should not be significant.

ARSD 74:02:04:20(6) defines an adequate well as a well constructed to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer. An adversely impacted domestic well is defined by ARSD 74:02:04:20(7) as a well in which the pump intake was set at least 20 feet below the top of the aquifer and the water level of the aquifer has declined to a level

that the pump will no longer deliver sufficient water for the well owner's needs. Since the porosity of the Crystalline aquifer is low, 20 feet of saturated thickness may not be sufficient for a well to be a reliable water supply. In other words, in this hydrogeologic setting, wells that are "adequate" by definition may not be reliable water supplies. Under these circumstances it can be argued that, any measurable interference (drawdown), from a competing well is actually an adverse impact. However, with natural water level fluctuations in this aquifer measured in excess of 50' at the Water Rights' Observation well; well interference of a few feet could be considered a "futile call".

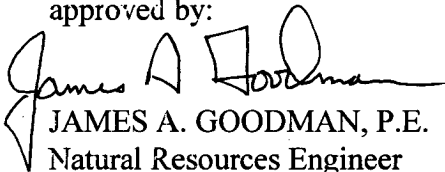
Conclusions:

1. The Precambrian aged Crystalline Rock is a viable aquifer in this area.
2. The aquifer is unconfined and interference is not expected to be a concern



KEN BUHLER
Natural Resource Engineer

approved by:



JAMES A. GOODMAN, P.E.
Natural Resources Engineer

REFERENCES:

- Driscoll, D.G., Carter J.M., Williamson, J.E., and Putnam, L.D., 2002, Hydrology of the Black Hills Area, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 02-4094, 1503 p.
- Redden, J.A., and Norton, J.J., 1975, Precambrian Geology of the Black Hills in Mineral And Water Resources of South Dakota: U.S. Geological Survey report to Committee on Interior and Insular Affairs, United States Senate. P. 21-32
- 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, 2004a, Domestic Well Logs, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2004b, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2004c, Water Permit/Right Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.



**DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2524-2, LPS, Inc.**

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. 2524-2, LPS, Inc., c/o Paul LeClair, President, 24992 Sylvan Lake Road, Custer SD 57730.

The Chief Engineer is recommending APPROVAL of Application No. 2524-2 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
June 4, 2004

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

Fort Welikot

Notice of Application

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:

June 16, 2004; June 23, 2004;

_____, _____;

_____, _____;

_____, _____;

_____, _____;

the full amount of the fees for the publication of the annexed notice is \$ 35.00.

Charles W. Najacht

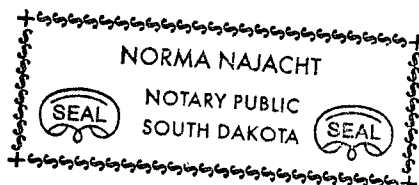
Subscribed and sworn to me before this 23

of June, 2004;

Norma Najacht

NOTARY PUBLIC

MY COMMISSION EXPIRES: May 5, 2006



NOTICE OF APPLICATION NO. 2524-2

TO APPROPRIATE WATER

Notice is given that LPS, Inc., 24992 Sylvan Lake Road, Custer SD 57730 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second from one well (Precambrian Aged Crystalline Rock) 190 feet deep located in the NW 1/4 NE 1/4 Section 24-T3S-R4E. The water is for commercial use at Fort Welikot Family Campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2524-2 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 July 5, 2004.

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.

#187, 6/16, 6/23

RECEIVED
JUL - 2 2004
WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on June 16, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2524-2 to Appropriate Water

Notice is given that LPS, Inc., 24992 Sylvan Lake Road, Custer SD 57730 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second from one well (Precambrian Aged Crystalline Rock) 190 feet deep located in the NW ¼ NE ¼ Section 24-T3S-R4E. The water is for commercial use at Fort Welikit Family Campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2524-2 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.

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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.



**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.

June 7, 2004

LPS Inc
% Paul Le Clair, President
24992 Sylvan Lake Rd
Custer SD 57730

Dear Mr. Le Clair:

Water Permit Application No. 2524-3 for irrigation 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). 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. 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

June 7, 2004

Custer Co. Chronicle
PO Box 551
Custer SD 57730-0551

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2524-3 to Appropriate Water to be published twice. Please publish the first notice on June 16, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 LPS Inc., % Paul Le Clair, President, 24992 Sylvan Lake Rd., Custer, SD (Ph # 605-673-3600).

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. 2524-3

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

Date _____

We are in receipt of your letter of June 7, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 2524-3 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

AUG 17 2004

LPS Inc
% Paul Le Clair President
24992 Sylvan Lake Rd
Custer SD 57730

Dear Mr. Le Clair:

Enclosed is Water Permit No. 2524-2 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

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date 8-18-04

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

FROM: LPS, Inc
(name)
24992 Sylvan Lake Road
(address)
Custer SD 57730 605-673-3600
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No 2524-2 states that the water use system is to be constructed by
July 5, 2009, and water is to be put to beneficial use by July 5, 2013.
(date) (date)

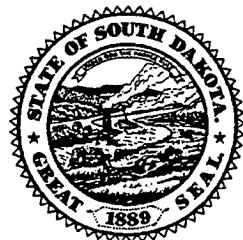
The water use system was completed on MAY 1, 2004.
(date)

Applying the water to beneficial use was completed on MAY 1, 2004.
(date)

You may schedule an investigation so that the water license may be issued.

[Signature]
(signature)
President
LPS, Inc

7-98



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AUG 19 2004
WATER RIGHTS
PROGRAM

**Permit No. 2524-2
Custer County**

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

Other permit/license(s) associated with project: **None**

Contact Person & Address: **Paul LeClair, 24992 Sylvan Lake Rd, Custer, SD 57730**

Report of Examination of Works

On **July 12, 2005**, I made a thorough examination of the water use system constructed by **LPS, Inc.** holder of Permit No. **2524-2**, bearing the priority of **March 29, 2004** authorizing the diversion of **0.10** cubic feet per second (cfs) of the water from **one well** for **commercial** use in a campground, in **Custer** County.

The system is in the following condition: **Good**. The well is located in the **NW¼ NE¼ Section 24 T3S R4E 3320 feet East of the NW corner of Section 24 and barely South of the northern section line** with a longitude of **W103.58555** and a latitude of **N43.78182**. The works are capable of diverting and conveying to the place of use **0.067 cfs** of water for **commercial** use.

Review of Permit Qualifications and Regulations:

- 1) Special qualifications to permit being abided by: **NA**
- 2) All structures, wells and lands on map: **Diversion location on map.**
- 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 Specifics of the System

Diversion Point Information:

- | | |
|--|--------------------------------------|
| 1) Well Drilling Firm: Howe Well Drilling | 2) No. of Wells: 1 |
| 3) Depth(s) 190 feet | 4) Well log is available: Yes |

Casing:

- | | |
|------------------------------|---------------------------|
| 1) Diameter: 6 inches | 2) Length: 70 feet |
| 3) Type: Steel | |

Screen:

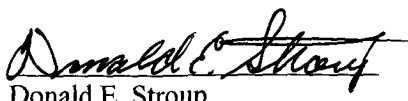
- | | |
|---------------------------------------|---------------------------|
| 1) Type: NA | 2) Length: NA feet |
| 3) Static water level: 18 feet | |

Pump\ Motor:

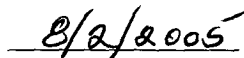
- | | |
|-------------------------------|------------------------------------|
| 1) Pump Make: NA | 2) Pump Model: NA |
| 3) Capacity: 30 GPM | 4) Motor Make: NA |
| 5) Motor Model No.: NA | 6) Horsepower rating: NA hp |

COMMENTS:

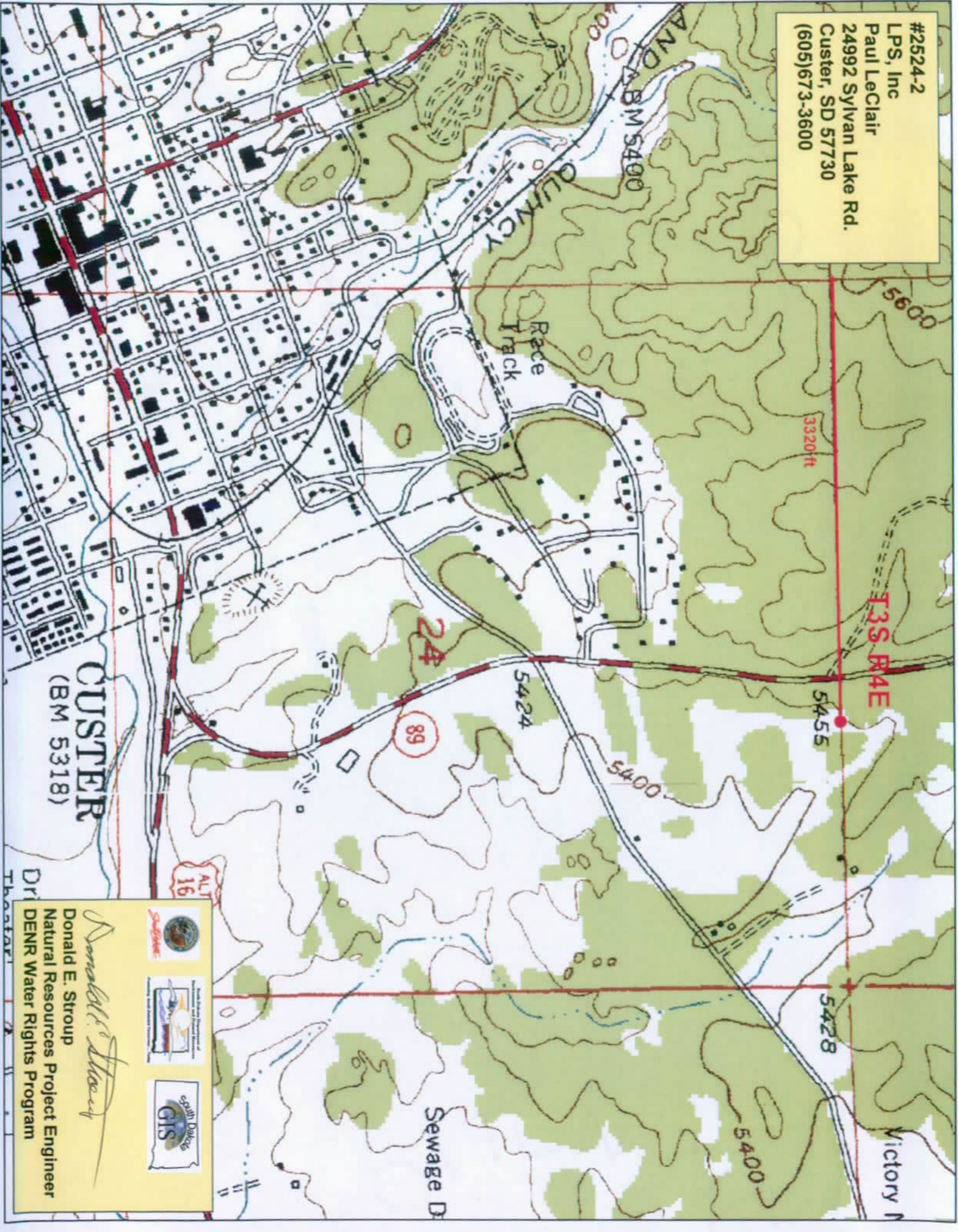
Permit No. 2524-2 should be licensed for 0.067-cfs.


Donald E. Stroup

Natural Resources Project Engineer
DENR, Water Rights Program


Date

#2524-2
LPS, Inc
Paul LeClair
24992 Sylvan Lake Rd.
Custer, SD 57730
(605)673-3600



Donald E. Stroup
Donald E. Stroup
Natural Resources Project Engineer
DENR Water Rights Program

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2524-2

(1) LPS Inc, 24992 Sylvan Lake Rd, Custer SD 57730 made Application No. 2524-2, March 29, 2004 for a water permit to divert 0.10 cubic feet of water per second from ground water (one well – Precambrian Aged Crystalline Rock), Custer County, South Dakota for commercial purposes. Permit No. 2524-2, with a priority date of March 29, 2004 was approved July 5, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 5, 2009 and for the application to beneficial use of water on or before July 5, 2013.

On August 19, 2004, the permit holder submitted a “*Notice of Completion of Works and Application of Water to Beneficial Use*”. The “*Notice*” stated the water use system was completed and water placed to beneficial use on May 1, 2004.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, LPS, Inc., the holder and/or owner of Water Right No. 2524-2 is issued a license, bearing a priority date of March 29, 2004 to appropriate 0.067 cubic feet of water per second from ground water (one well) to be used for commercial purposes at the Fort Welikit Family Campground.

The diversion point is located 3,320 feet east of the NW corner of Section 24, T3S, R4E (diversion point is slightly south of the section line in the NW ¼ NE ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2524-2 including the following qualification:

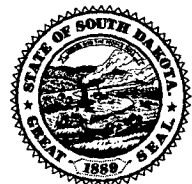
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having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

Garland Erbele

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

AUG 08 2005

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 08 2005

2524-2

Paul LeClair
LPS Inc
24992 Sylvan Lake Rd
Custer SD 57730

Dear Mr. LeClair:

Enclosed is Water License No. 2524-2. This is the final water right document completing your process of obtaining a Water Right. Also enclosed is a copy of the 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. 2524-2, 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

September 26, 2016

2524-2

Steve Saint
24992 Sylvan Lake Rd
Custer SD 57730

Dear Mr. Saint:

Thank you for calling concerning the ownership change needed for Water Right No. 2524-2.
The water right is currently held by LPS Inc.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please let me know.

Sincerely,

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

enclosure

RECEIVED

OCT - 3 2016

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 2524-2

Date: 9/29/16

I/We request that Water Right No. 2524-2

formerly owned by: LPS Inc

be transferred to: (name & address) SANCTUS V @ LLC.
24992 Sylvan Lake Rd
CUSTEN, SD 57730 Telephone No. 605-673-3600

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

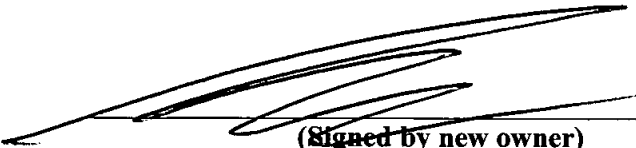
diversion point location: NW ¼ NE ¼ Section 24, T3S, R4E

I/We understand that the validity of Water Right No. 2524-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We STEPHEN SAINT, the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/3, 20 16

RECEIVED OF Sanctus V LLC 24992 Sylvan lake Rd Custer SD 57730

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2524-2</u>		
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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **07929**

By J. Anne Goodman
Chief Engineer

Entity Detail File Annual Report Statement of Change Forms

Name **SANCTUS V LLC** [Obtain a Certificate of Good Standing](#)
Business ID **DL031779**
Incorporation/Qualification Date **3/25/2013**

Home State **SOUTH DAKOTA**
Status **Good Standing**
Last Annual Report **2016**
Business Type **Domestic LLC**
Stock Info

Registered Agent Documents

Registered Agent Name & Address

STEPHEN SAINT
24992 SYLVAN LAKE RD
CUSTER, SD 57730-7265



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

October 4, 2016

2524-2

Stephen Saint
Sanctus V LLC
24992 Sylvan Lake Rd
Custer SD 57730

Dear Mr. Saint:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 2524-2.

The ownership change has been completed. The water right formerly listed in the name of LPS Inc., is now listed in the name of Sanctus V LLC.

Enclosed for your records is Receipt No. 07929 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

enclosure