

WATER PERMIT NO. 2543-2

Name of Applicant: **Heartland Country Ranchettes LLC**

Address: **PO Box 2400** Phone: **Rapid City SD 57709**

Amount of Water Claimed: **0.22 cfs** Total Acres: **NA**

Source of Water Supply: **groundwater**

Water to be used for: **suburban housing development** County: **Pennington**

Type of Waste Disposal System:

Location: **15 miles southeast of Rapid City**

PRIORITY Date Received: **9-30-04**

Application/License Fee: **\$275**

Corrected Application Received: **10-19-04**

Period of Annual Use: **Jan 1 – Dec 31**

Remarks:

Diversion Point: **SW ¼ NW ¼ Sec 10-T2S-R8E**

Land to be Irrigated: **NA**

Depth of Well: **1802 feet**

Well Driller: : **Cimarron Drilling, Inc.**

Remarks:

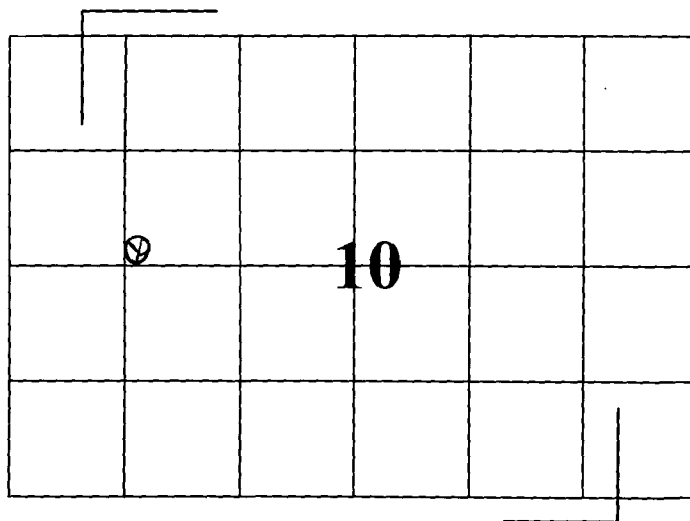
Type of Map: **topo**

Prepared by: **Daniel R Britton, LS/PE**

Reviewed and the Number Assigned on: **10-21-04**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



RECEIVED
SEP 30 2004
WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>2543-2</u> (office use only) Hydrologic Unit <u>10120109</u>
	Basin <u>Upper Cheyenne</u>
	Newspaper <u>Rapid City Journal</u>

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

Check use(s) of water:

- | | | | |
|---|--|--|--|
| ☐ Municipal | ☒ Suburban Housing | ☐ Recreational | ☐ Institutional |
| ☐ Rural Water System | ☐ Commercial | ☐ Fish & Wildlife | ☐ Geothermal Heat |
| ☐ Domestic (over 18 gpm) | ☐ Industrial | ☐ Other _____ | |

Type of Application:
(check one)

- ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ 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 Heartland Country Ranches LLC Phone 605-255-5500
(check one) ☐ Owner ☐ Tenant/Lessee
Mailing Address P.O. Box 2400, Rapid City State SD 57109
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.22 *CFS or 100 **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 Inyan Kara Fm
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Pennington
1 well located in the SW corner of the NW corner of Section
10, Township 2 South, Range 8 East, BHM
- County or counties where water will be used Pennington
- 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)
Water supply for approximately 100 proposed residences, at
full build out.
Homes will be served by individual septic systems

STATE OF SOUTH DAKOTA)

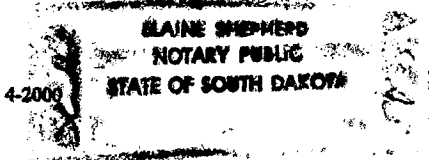
County of Custer SS

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, John Preston, 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.

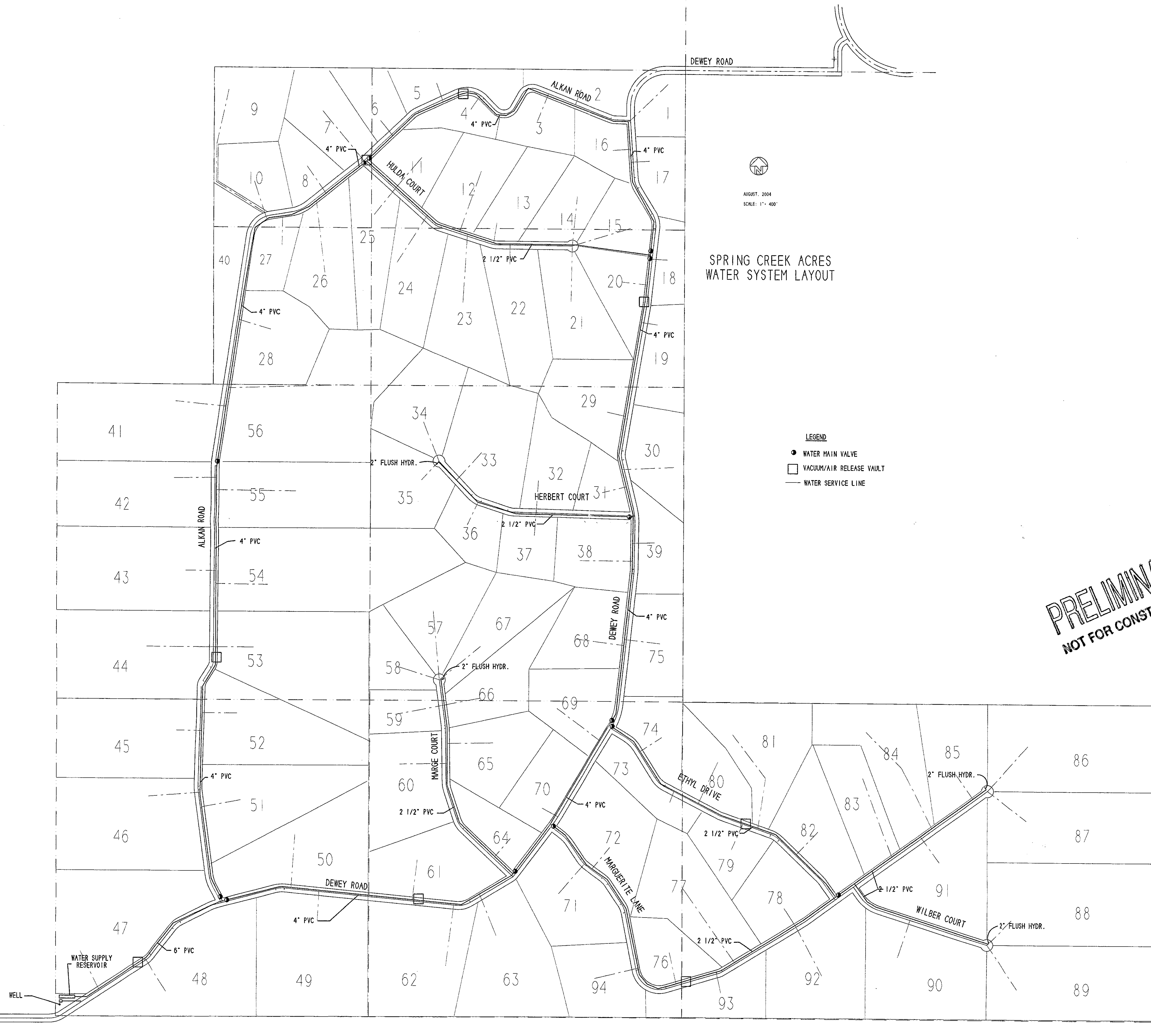
Applicant's signature [Signature]

Subscribed and sworn to before me this 28 day of September 20 04



[Signature]

Notary Public signature

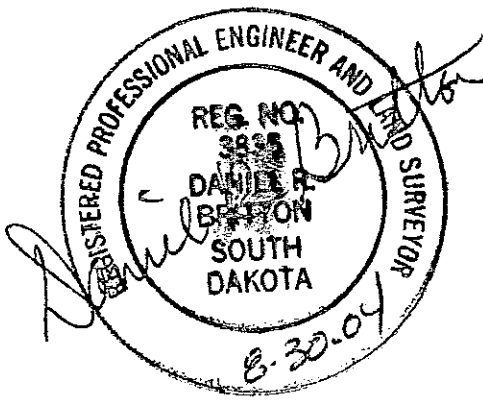


SPRING CREEK ACRES
WATER SYSTEM LAYOUT

- LEGEND**
- WATER MAIN VALVE
 - VACUUM/AIR RELEASE VAULT
 - WATER SERVICE LINE

PRELIMINARY
NOT FOR CONSTRUCTION

RECEIVED
OCT 15 2004
WATER RIGHTS
PROGRAM



BRITTON ENGINEERING & LAND SURVEYING, INC. 11750 NO. HWY 79 - PH. (605) 716-7988 BLACK HAWK, SOUTH DAKOTA 57718	
SPRING CREEK ACRES PENNINGTON COUNTY	
WATER SYSTEM LAYOUT	
8/30/2004	

SOUTH DAKOTA
WATER PERMIT NO. 2543-2

Date of first receipt of application September 30, 2004.

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

Date of receipt of corrected application October 19, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2543-2 to Heartland Country Ranchettes, LLC, PO Box 2400, Rapid City SD 57709 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2543-2 appropriates 0.22 cubic feet of water per second from one well completed into the Inyan Kara Formation located in the SW ¼ NW ¼ Section 10-T2S-R8E.
2. The water appropriated shall be used for the purpose of 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. 2543-2 is January 10, 2005.
5. The date from which applicant may claim right is September 30, 2004.
6. One-fifth of the construction is to be completed on or before July 10, 2007.
7. All construction is to be completed on or before January 10, 2010.
8. Water is to be put to beneficial use on or before January 10, 2014.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Heartland Country Ranchettes LLC shall report to the Chief Engineer annually the amount of water withdrawn from the Inyan Kara Formation.

WATER MANAGEMENT BOARD

By: Garland Erbele

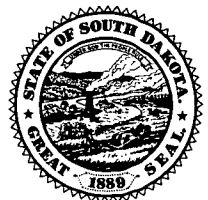
Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

APR 19 2005

date



(type or print in ink)

1. Well Information - Proposed Construction

- See attached well log

- a) Drill Hole Diameter 8 3/4" Depth 1802
- b) Casing Type Steel Diameter 7 inch Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) 450 feet
- g) Distance to nearest existing domestic well:

On applicants property None

On property owned by others 1 mile

2. Wastewater Disposal System Information

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

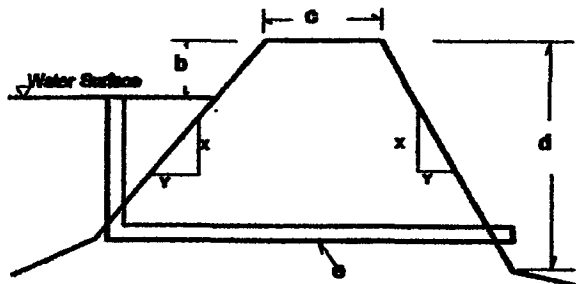
3. Dugout Information

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

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 NA
- c) Crest Width NA
Crest Length NA
- d) Height NA
- e) Primary Outlet Capacity NA
If pipe, diameter NA
- f) Secondary Spillway Capacity NA
Spillway Width NA
- g) X & Y Slope NA
Upstream NA
Downstream NA
- h) Surface Area of Impoundment NA
- i) Storage NA Acre Feet
- j) Drainage Area Above Dam NA Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date SEPTEMBER 30, 2004

RECEIVED OF Heartland Country Ranchettes LLC, PO Box 2400, Rapid City SD 57709

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

Fee for Application for Permit No. <u>1543-2</u> to Appropriate Water, to construct and to put water to beneficial use	225	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>2543-2</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	275.00

No.

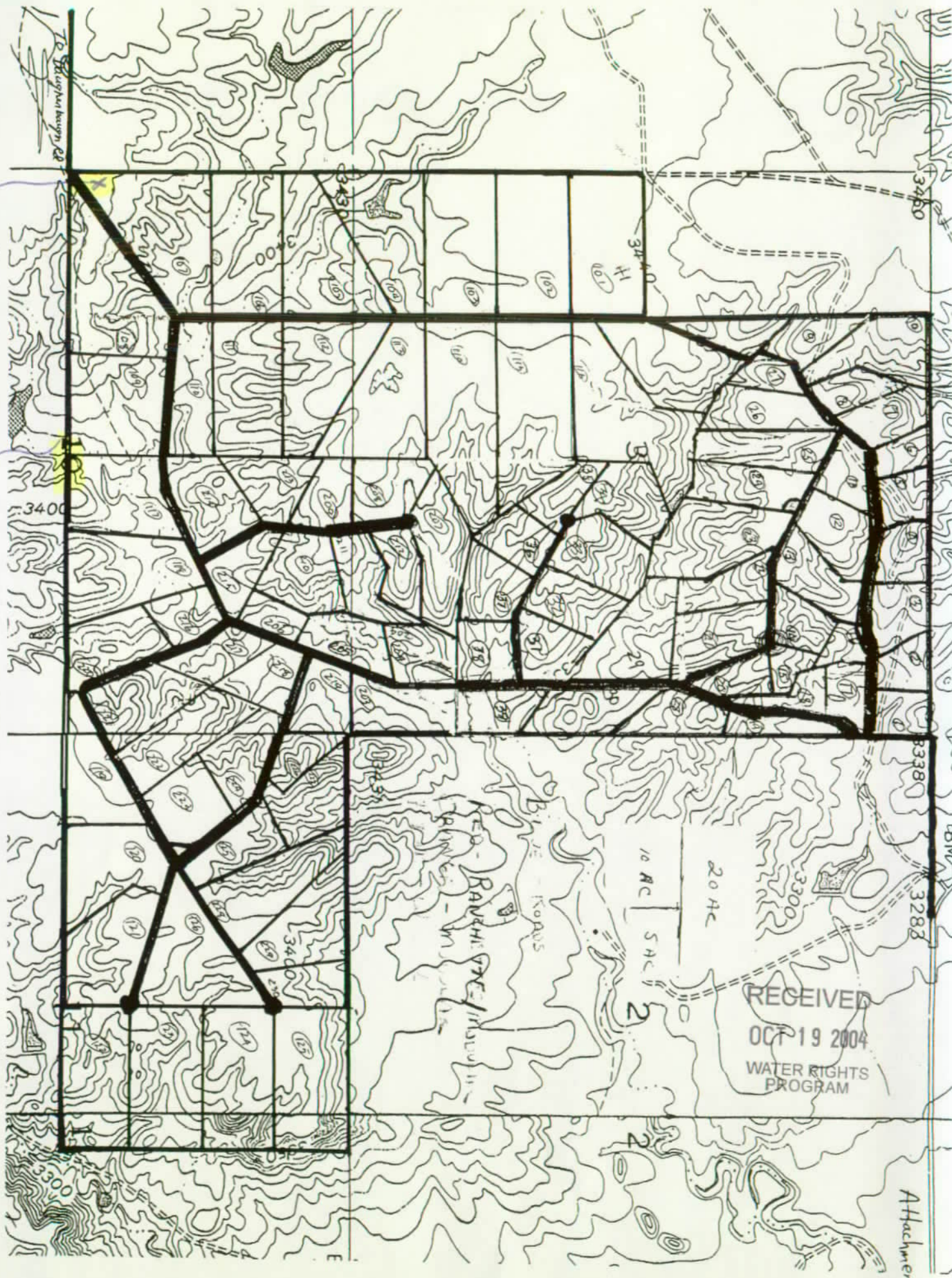
001030

By

J. Darlene Erbe
Chief Engineer
gm

Well location

Section 10, T2S, R2E B4M



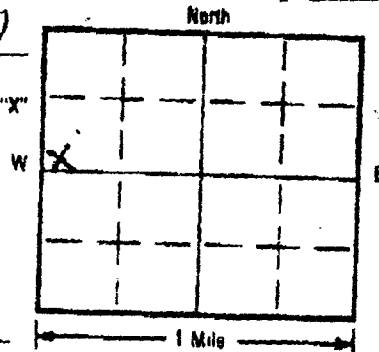
2543-2

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location: SW 1/4 NW 1/4 Sec 10 Twp 25 Rg 8-ECounty: Pennington

Please mark well location with an "X"



Well Completion Date

7-01-04

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.): 1/4 ft. from N/A (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 23 LB/FT DIAMETER 7 IN FROM 0 FT TO 1802 FT HOLE DIAMETER 8 3/4 IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN

GROUTING DATA

Grout Type Portland No. of Sacks 230 Grout Weight 944 lb./gal From 0 ft To 1802 ft
Type III _____ lb./gal _____ ft _____ ft
 Describe grouting procedure Pressure grout thru casing with mud pump - displaced with water to surface

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

Laboratory sent to for water quality analysis _____

☐ NO, Why Not? deliveredOWNER TO CompleteWell Owner: Heartland Country Ranch

Business Name: _____

Address: Box 2400
Rapid City S.D. 57709

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>GRAVEL</u>	<u>0'</u>	<u>10'</u>
<u>Dark sand & silt</u>	<u>10'</u>	<u>120'</u>
<u>Dark sand & silt</u>	<u>120'</u>	<u>140'</u>
<u>Dark sticky clay</u>	<u>140'</u>	<u>150'</u>
<u>White sand & silt</u>	<u>150'</u>	<u>160'</u>
<u>White sand & silt</u>	<u>160'</u>	<u>170'</u>
<u>Greenish clay</u>	<u>170'</u>	<u>180'</u>
<u>Gray & white sand</u>	<u>180'</u>	<u>190'</u>
<u>Hard sand & silt</u>	<u>190'</u>	<u>200'</u>
<u>Hard sand & silt</u>	<u>200'</u>	<u>210'</u>
<u>Hard sand & silt</u>	<u>210'</u>	<u>220'</u>
<u>Hard sand & silt</u>	<u>220'</u>	<u>230'</u>
<u>Hard sand & silt</u>	<u>230'</u>	<u>240'</u>
<u>Hard sand & silt</u>	<u>240'</u>	<u>250'</u>
<u>Hard sand & silt</u>	<u>250'</u>	<u>260'</u>
<u>Hard sand & silt</u>	<u>260'</u>	<u>270'</u>
<u>Hard sand & silt</u>	<u>270'</u>	<u>280'</u>
<u>Hard sand & silt</u>	<u>280'</u>	<u>290'</u>
<u>Hard sand & silt</u>	<u>290'</u>	<u>300'</u>

STATIC WATER LEVEL: 450 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: Air developed☐ Bailed☒ OtherPumping level below land surface 100' Below 25 GPM100 ft After 2 Hrs 200 GPM1000 ft After 2 Hrs 150 GPMIf pump installed, pump rate 100 GPM

REMARKS

will set 100 GPM
pump @ 1000'

This well was drilled under license # 568

And this report is true and accurate

Drilling firm C. M. Mader Drilling Inc.

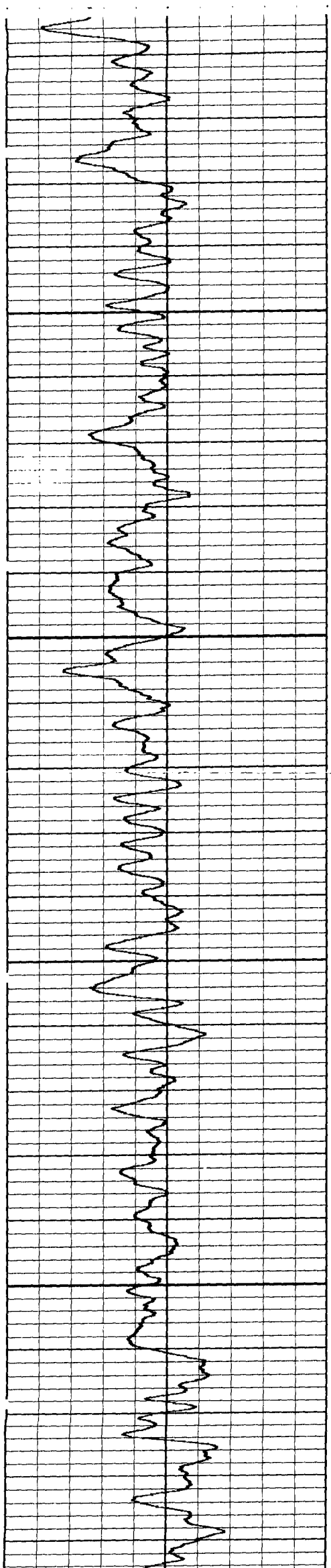
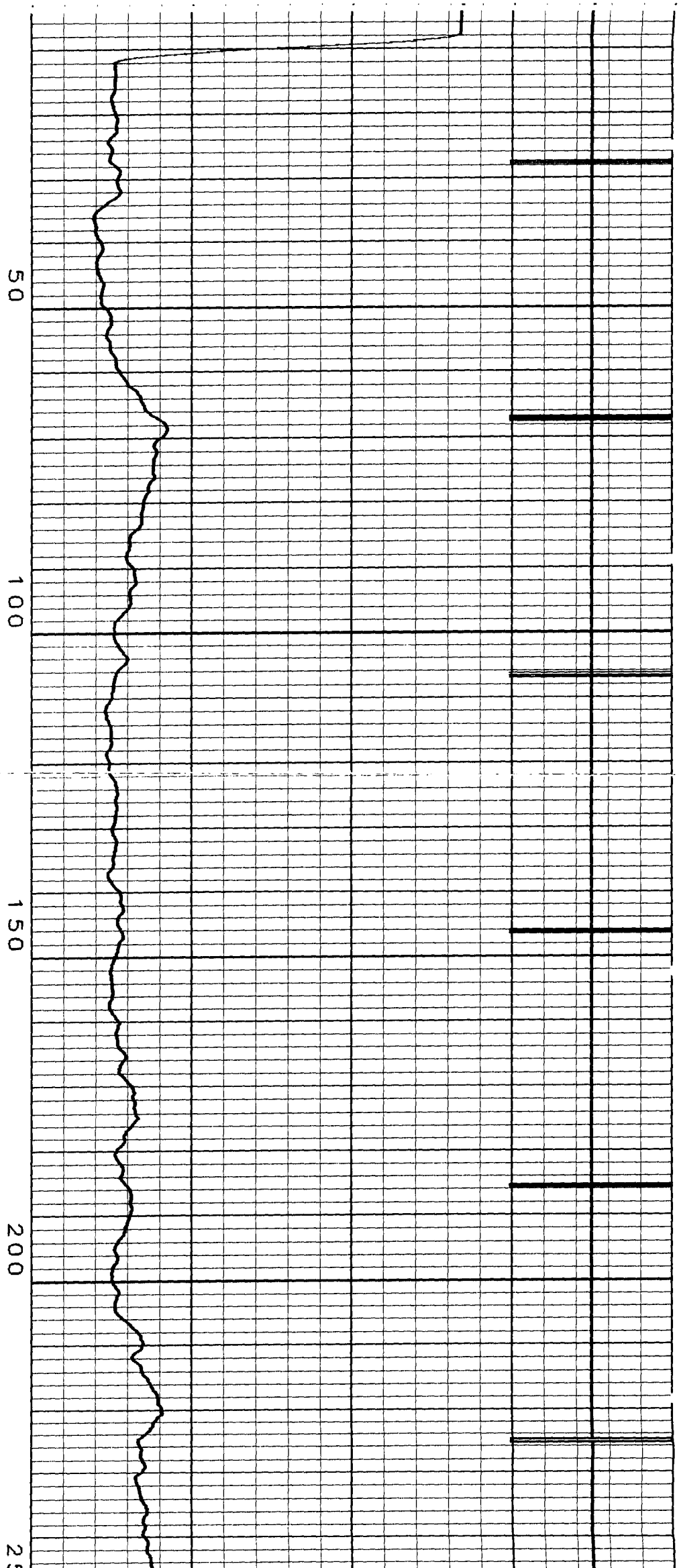
Signature of License Representative

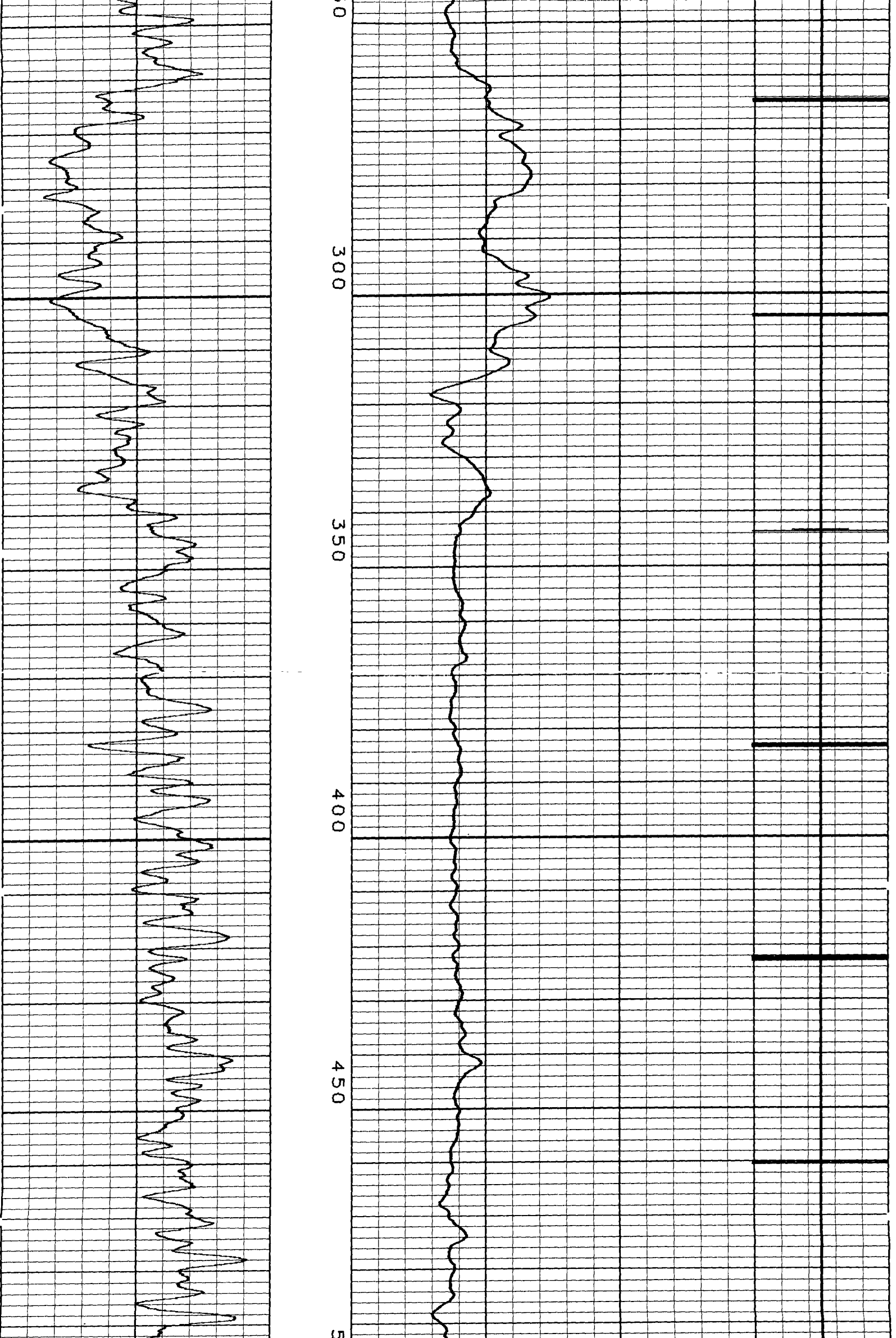
Signature of Well Owner or Equitable Property holder

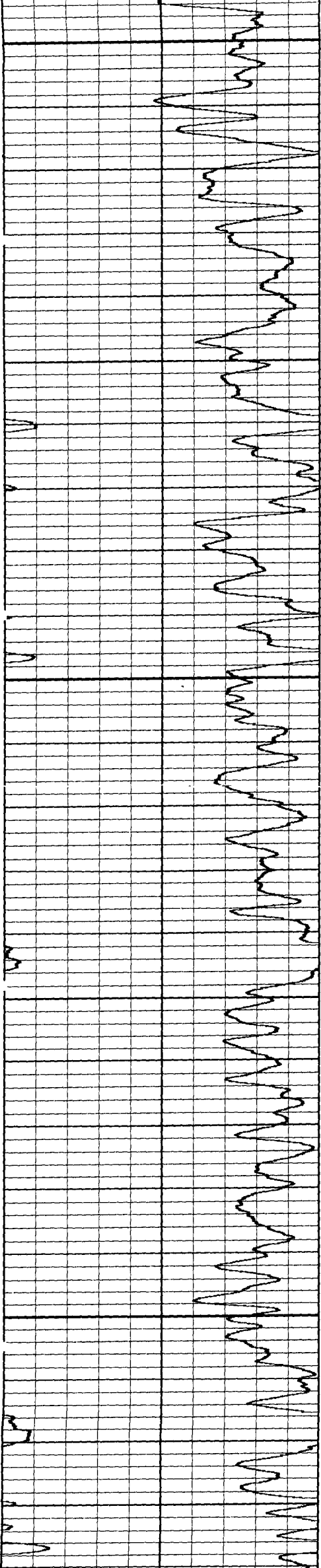
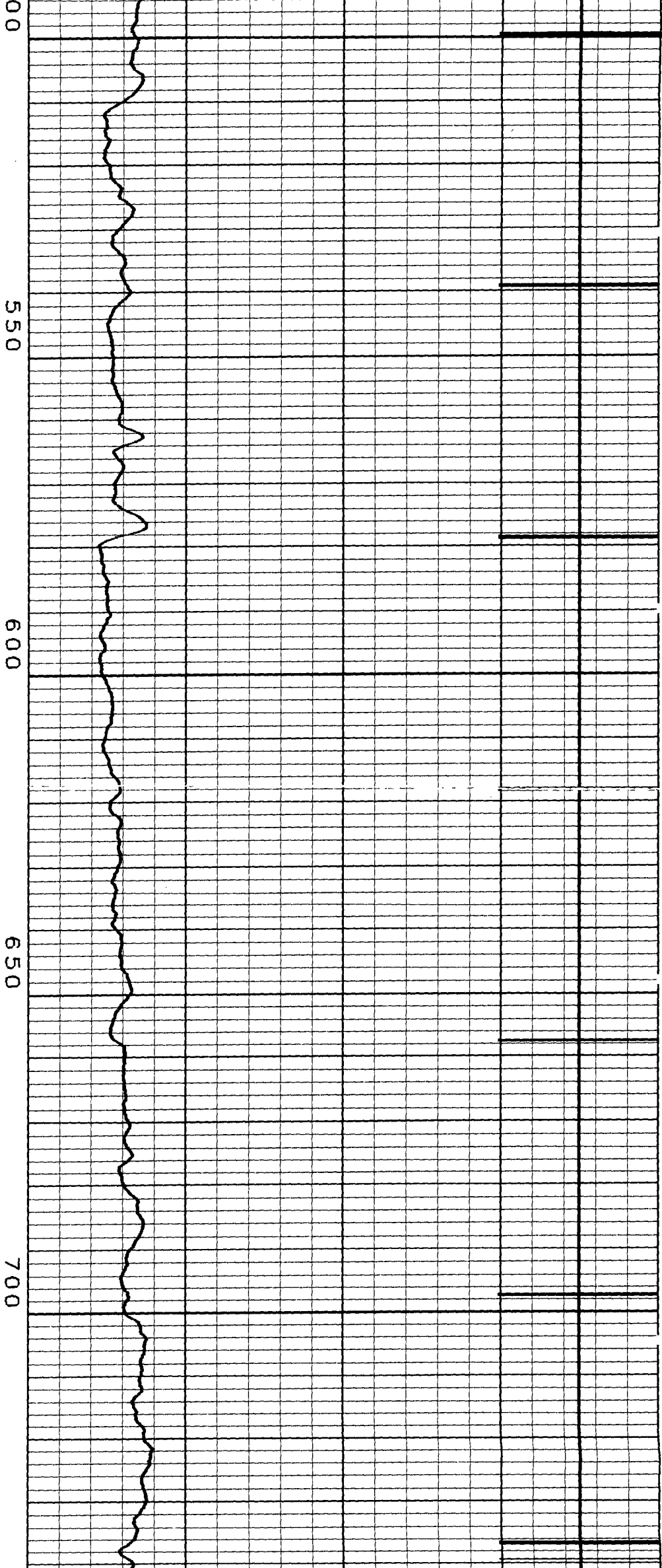
Date 9/2/04

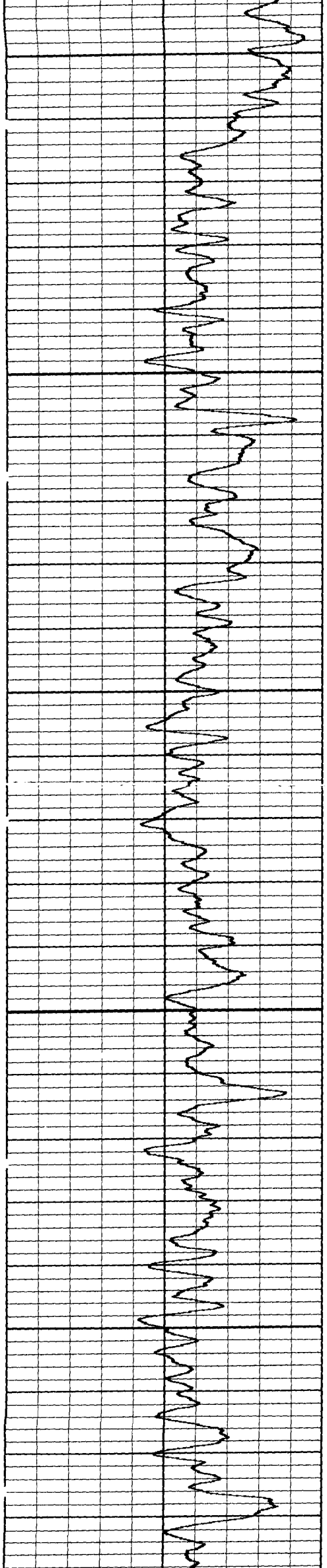
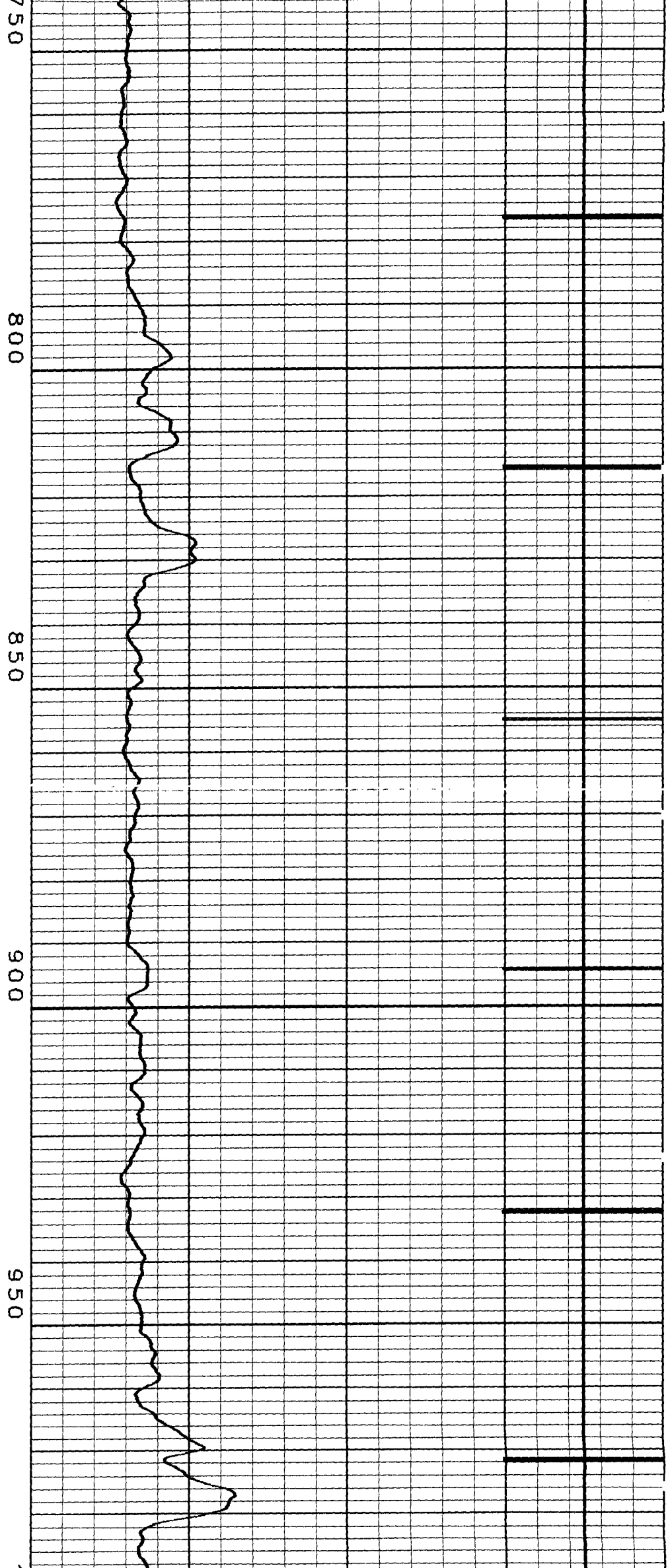
RADIOACTIVITY
LOG

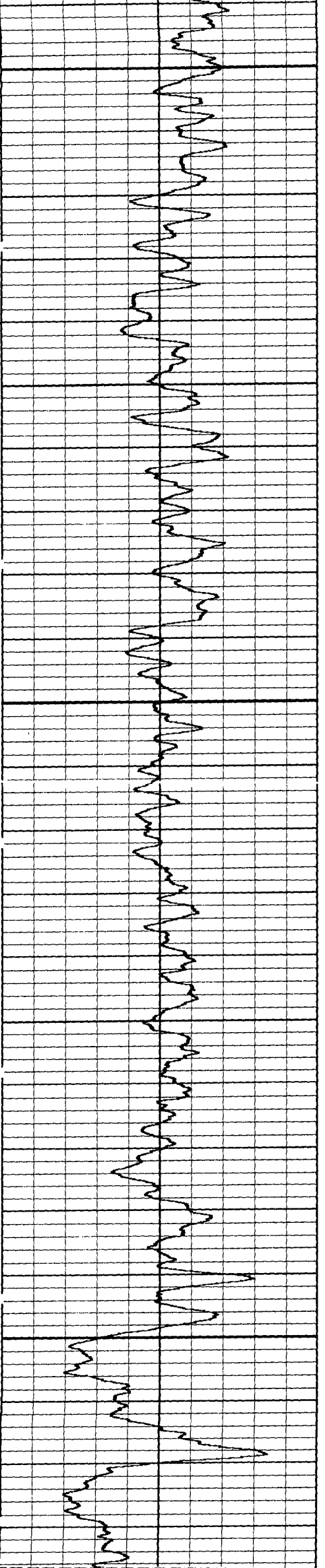
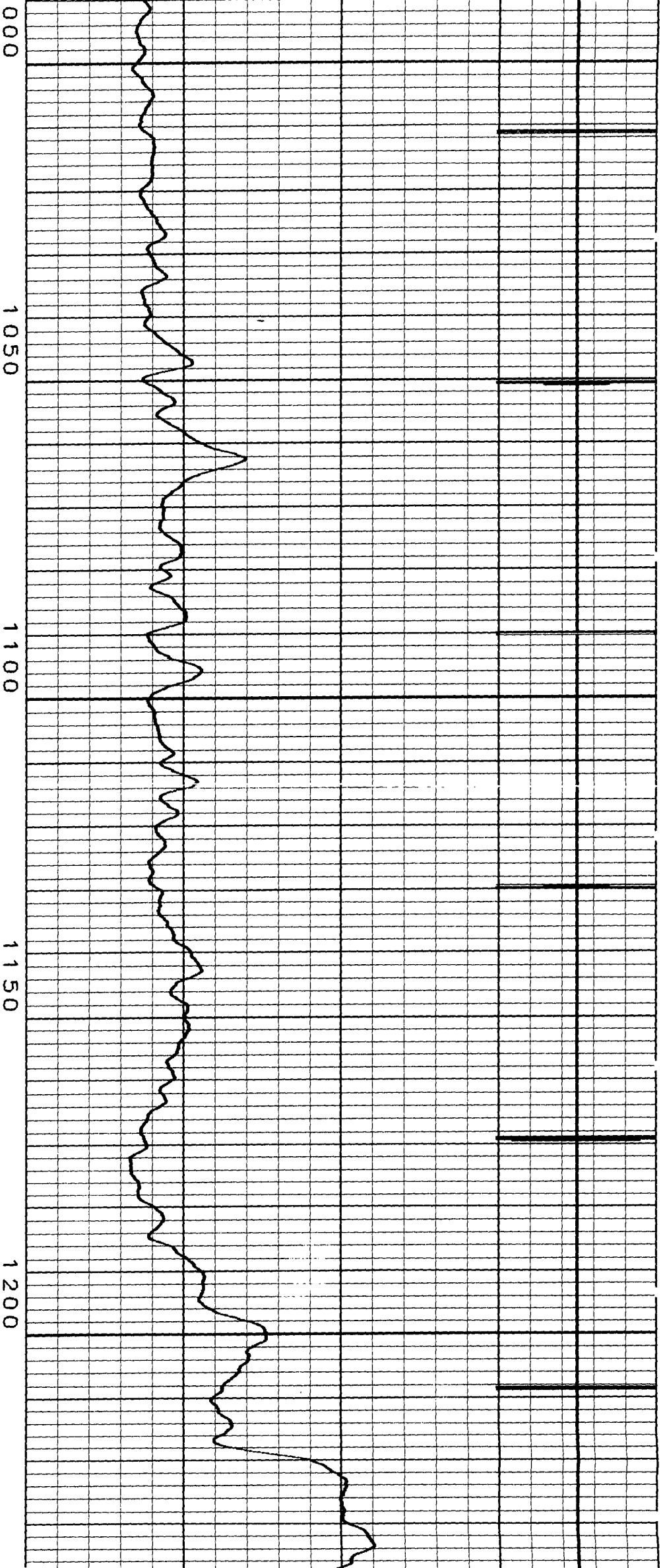
[illegible]

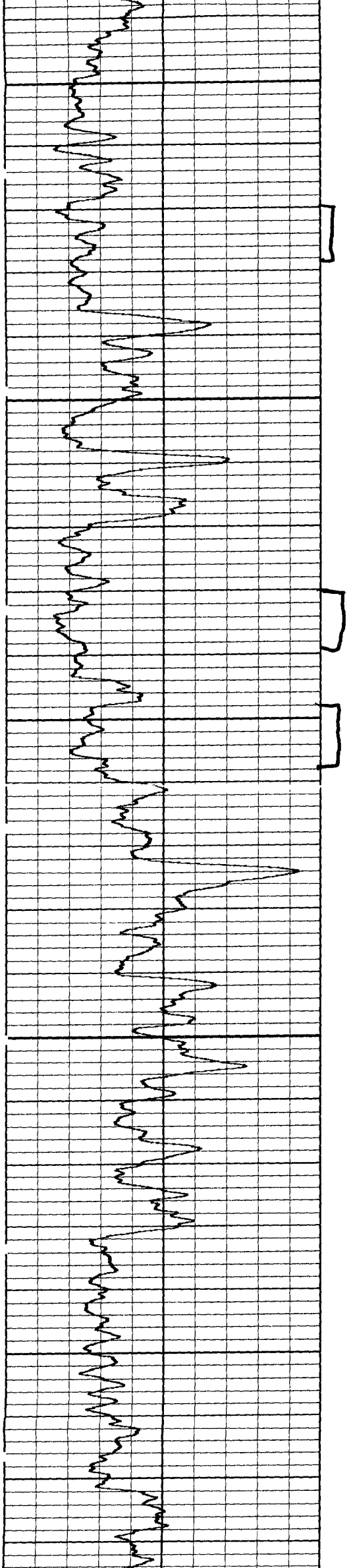
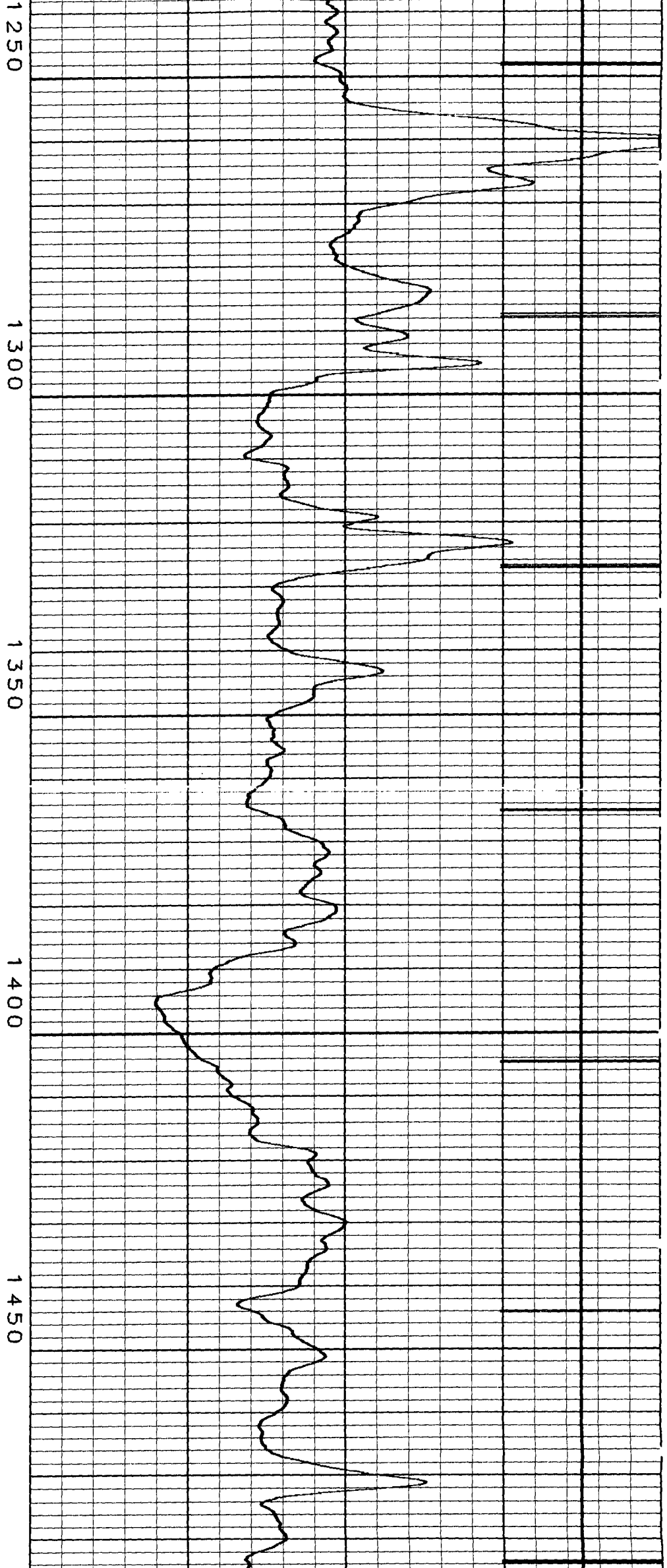


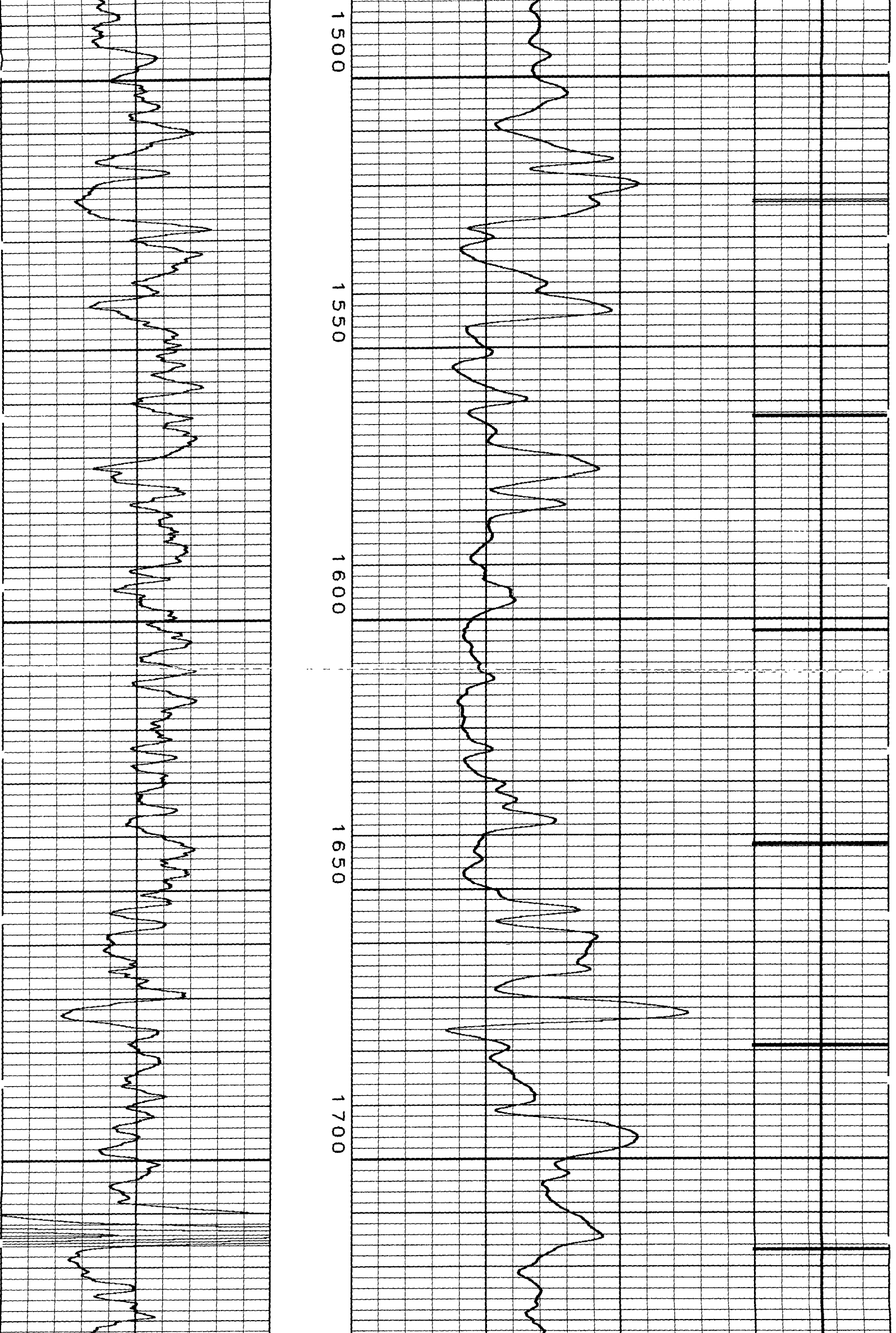


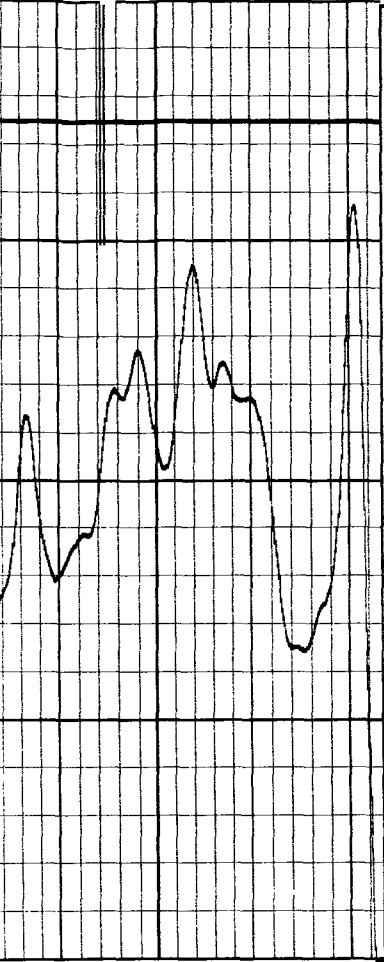
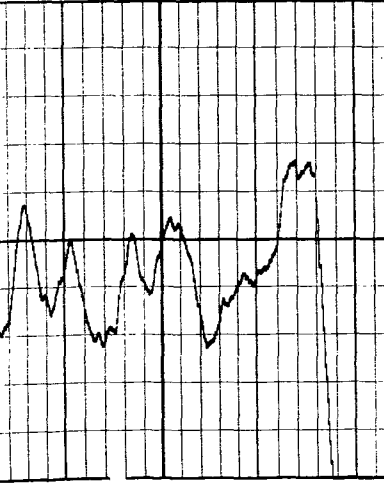












1750

CHART SCALING		CHART SCALING	
0.00	GAMMA RAY	100.00	NEUTRON
120.00	GAPI		
240.00			
		cps	
		25.00	CCL
			MV
		20.00	CCL
			MV
		20.00	
		25.00	
START DEPTH: 1773.45	DEPTHS	Thu May 27 11:51:40 2004	LOG UP



Timberline Enterprises

7005 Timberline Rd., Black Hawk, SD 57718 • www.timberlineent@cs.com

Phone: (605) 787-5653 • Cell: (605) 484-7934

September 17, 2004

Mr. Ken Buhler

South Dakota Department of Environment and Natural Resources

Division of Water Rights

Joe Foss Bldg, 523 East Capitol

Pierre, SD 57501

RECEIVED

SEP 30 2004

WATER RIGHTS
PROGRAM

Subject: Application For Permit to Appropriate Water Within The State of South Dakota
Spring Creek Acres Water System
Near Hermosa, South Dakota

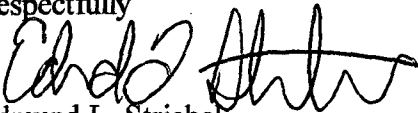
Dear Mr. Buhler:

Pursuant to the Administrative Rules of South Dakota, Chapter 74:02:04:21, and on behalf of the Spring Creek Acres Water System, c/o Mr. John Preston, Heartland Country Ranchettes, LLC, P.O. Box 2400, Rapid City, SD 57709, please consider this Application For Permit to Appropriate Water Within The State of South Dakota. As required by the permit application we have attached two copies of Form 2 and Form 2A, as well as two copies of the South Dakota Well Completion Report for the subject well, drilled and completed by Cimarron Drilling, Inc., Sturgis, SD, (SD Well Drillers License #568). Although not required by the permit application we have also attached a Radioactivity Log of the well for your review. We have also attached two copies of a plat of the proposed project, as completed, signed and stamped by Daniel R. Britton, a registered Professional Engineer in the State of South Dakota (#3835).

As required by South Dakota Statutes we have enclosed a check for \$275.00 to be paid toward filing fees (\$225.00) and final inspection fees (\$50.00). We also understand that, subject to permit approval, notice of the application must be published in one local county newspaper for two consecutive weeks and that the public notice will be sent to the newspaper by the Water Rights Program. We further understand that the cost of the publication will be the responsibility of the Golden Valley Water System.

Thank you for your consideration regarding this application. If you have any questions or require additional information please feel free to contact me at 605-787-5653.

Respectfully



Edmund L. Striebel

cc: John Preston



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 30, 2004

Edmund L Striebel
Timberline Enterprise
7005 Timberline Rd
Black Hawk SD 57718

RE: Application for Heartland Country Ranchettes LLC

Dear Mr. Striebel:

Thank you for submitting the *Application for a Permit to Appropriate Water* for Heartland Country Ranchettes. In order to complete the application the following is required.

Enclosed is the map submitted with the application. The map needs to reference the well location from a government section corner or quarter corner by direction and distance

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

Britton Engineering & Land Surveying, Inc.

11750 No. Highway 79 – Black Hawk, SD 57718
Phone (605) 716-7988

October 8, 2004

Mr. Ed Striebel
Timberline Enterprises
7005 Timberline Road
Black Hawk, SD 57718

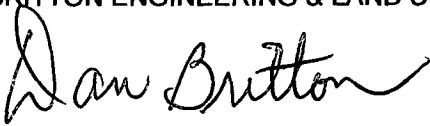
RE: Spring Creek Acres
Well location
Pennington County, SD

Dear Ed:

As requested, the bearing and distance from the west quarter corner of Section 10, T2S, R8E BHM to the well is N 36° 12' 02" E a distance of 127.69'. If you have any other questions, please feel free to contact me. Thank you.

Sincerely,

BRITTON ENGINEERING & LAND SURVEYING, INC.



Daniel R. Britton, LS/PE

file

RECEIVED

OCT 19 2004

WATER RIGHTS
PROGRAM

2543-2



Timberline Enterprises

7005 Timberline Rd., Black Hawk, SD 57718 • www.timberlineent@cs.com

Phone: (605) 787-5653 • Cell: (605) 484-7934

10/17/04

Ms. Karen Schlaak
South Dakota DENR
Water Rights Program
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

RECEIVED

OCT 19 2004

WATER RIGHTS
PROGRAM

Dear Ms. Schlaak

As per your request, enclosed please find a letter from Mr. Dan Britton referencing the well location at Spring Creek Acres by Section, Township and Range. For reference I have also attached two maps showing the well location. I hope that this information is sufficient.

Call me if you have any questions.

Thank You

Edmund L. Striebel, PG
Timberline Enterprises

cc: John Preston
Heartland Country Ranchettes, LLC
PO Box 52
Hermosa, SD 57744

WATER PERMIT APPLICATION NO. 2543-2
HEARTLAND COUNTRY RANCHETTES, LLC
DECEMBER 14, 2004

Water Permit Application No. 2543-2 proposes to appropriate 0.22 cubic feet of water per second (100 gallons per minute) from one well completed into the Inyan Kara aquifer, located in the SW¼ NW¼ Sec.10, T2S-R8E, Pennington County. The water is for use in a suburban housing development.

AQUIFER: Inyan Kara

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Inyan Kara aquifer consists of the Fall River Formation and the underlying Lakota Formation. The two formations are probably hydraulically connected and therefore can be considered a single aquifer. In general, the Inyan Kara aquifer consists of interbedded sandstone (thin bedded to massive), siltstone, and shale. The aquifer is areally extensive, underling over 36,000 square miles of western South Dakota (Allen and others, 1985). The aquifer underlies 1,245,440 acres and contains an estimated 23,352,000 acre-feet of recoverable water in storage in Pennington County alone (Allen and others, 1985). Recharge to the aquifer occurs primarily through infiltration of precipitation at the outcrop. Average annual recharge to the Inyan Kara aquifer from 1950 through 1998, is estimated to be 11,600 acre-feet annually (Driscoll and Carter, 2001).

The Inyan Kara outcrops about three and one-half miles west of this well site (Strobel and others, 1999). The completion report of the well that is to be used to supply this appropriation suggests that top of the Inyan Kara aquifer is around 1,180 feet below grade. This depth corresponds well with the aquifer's structure contour map (Strobel and others, 1999) which estimates the Inyan Kara top to be around 1,200 feet below grade. The Inyan Kara is estimated to be nearly 300 feet thick in this area (Allen and others, 1985). The base of the Inyan Kara can be interpreted to be 1,520 feet below grade from the well log. The completion report submitted for this well indicates the static water level of this well is around 450 feet below grade.

Observation Well Data

The Water Rights Program monitors seven observation wells completed into the Inyan Kara aquifer in the Black Hills area. Water Rights' Observation Well CU-83B is located about five and one-half miles southwest of this well, Observation Well CU-83C is located about eight miles southwest of this well, and Observation Well PE-95B is located about ten miles north-northwest of this well. The hydrographs for the wells are shown below (figure 1-3).

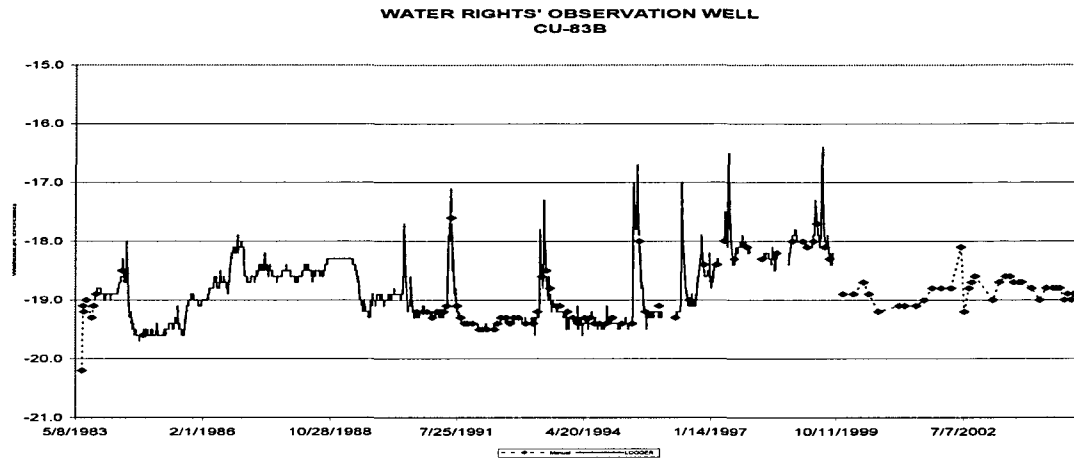


Figure 1. Hydrograph of an observation well completed into the Inyan Kara aquifer approximately five and one-half miles southwest of 2543-2

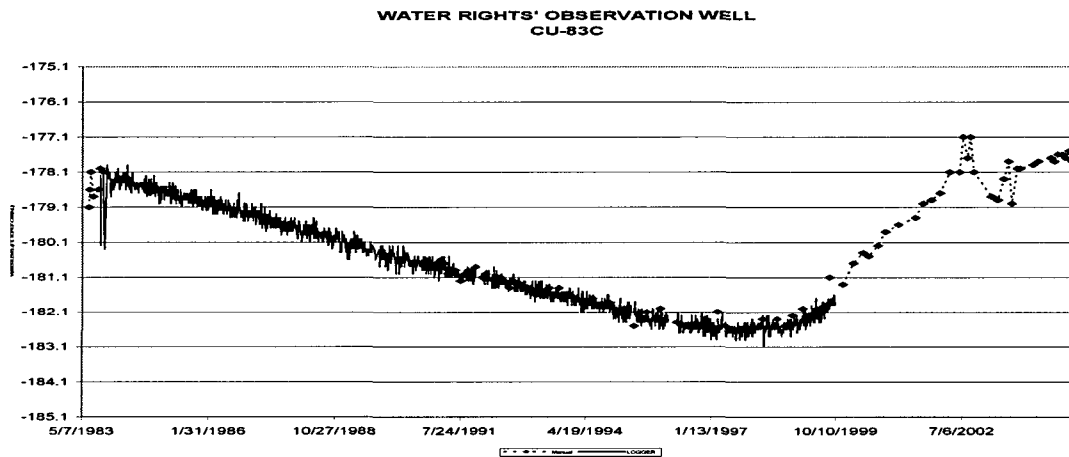


Figure 2. Hydrograph of an observation well completed into the Inyan Kara aquifer approximately eight miles southwest of 2543-2

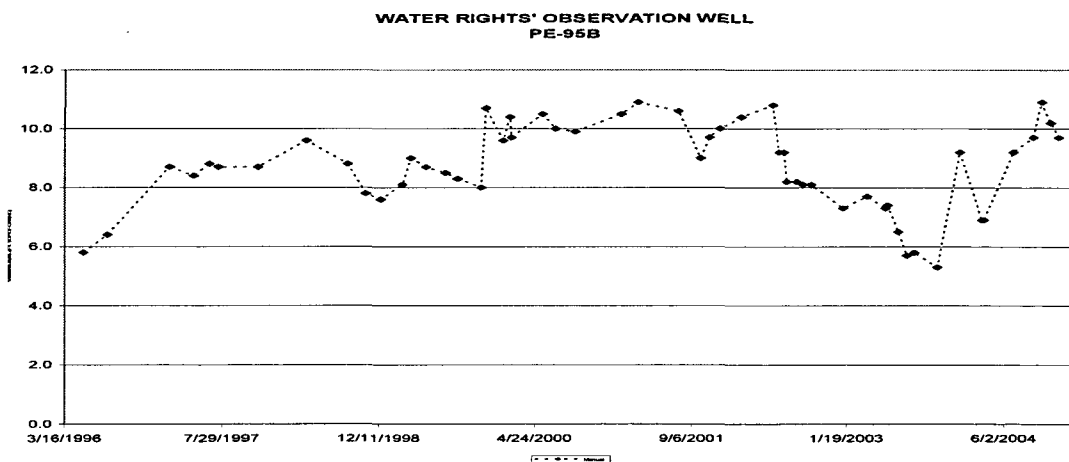


Figure 3. Hydrograph of an observation well completed into the Inyan Kara aquifer approximately ten miles north-northwest of 2543-2

The hydrographs document that the water level of the aquifer has fluctuated over the period of record. In general, water levels of the aquifer have remained relatively constant however. It is clear from the data that the aquifer recharges readily (Water Rights, 2004b). Observation well CU-83C did show a steady, gradual (4 feet) loss of head between 1985 and 1997, and increasing heads from 1997 to present, see figure 2. It is unclear why the water levels have fluctuated in this well, it may simply be localized drawdown. With the exception of CU-83C, hydrographs of Water Rights' observation wells indicate the Inyan Kara Aquifer is in dynamic equilibrium showing minor changes in water level corresponding with seasonal or climatic conditions only. The hydrographs indicates water is available for this appropriation.

EXISTING WATER RIGHTS:

The Inyan Kara aquifer has been developed in at least 23 counties in South Dakota with 149 Water Rights/Permits. The total appropriation from the Inyan Kara is 32.29 cfs for non-irrigation (SHD, RWS, MUN, INS, IND, GEO, FWP, DOM, and COM) uses. There are 12 water rights/permits appropriating 2,364.7 ac-ft/yr water from the Inyan Kara for irrigation purposes.

The actual amount of water used annually from the Inyan Kara is considerably less than the amount appropriated. For example, the average of the annual reported irrigation usage from the Inyan Kara between 1982 and 2003 was 41.26 ac-ft/yr with a maximum of 224.6 ac-ft/yr reported in 1985. The average annual withdrawals from the aquifer from the Black Hills area, where the majority of water rights are located, for the period from 1950-1998 was estimated to be 1,400 acre-feet/year (Driscoll and Carter, 2001).

There are 43 rights/permits appropriating water from the Inyan Kara aquifer in Pennington County (Water Rights, 2004c). Two Water Rights/Permits appropriate groundwater within five miles of the well that is to be used to supply this appropriation, both appropriations are from the Inyan Kara aquifer, they are shown in table 1.

PERMIT NO	NAME	USE	CFS	DISTANCE FROM 2543-2
744B-2	TOWN OF HERMOSA	MUN	0.15	3 MILES
2462-2	ROLAND USERA	SHD	0.09	4 MILES

Table 1. Groundwater appropriations within five miles of 2543-2

Since the Inyan Kara is under confined (artesian) conditions in this area, pumping from an individual well may cause a decline in the potentiometric surface over a fairly widespread area. The distances from existing Water Rights/Permits from the Iyan Kara aquifer will minimize the affects of pumping this well to nearby wells, and the impact of this appropriation on existing water rights is not likely to be significant.

There are a number of domestic wells in this area, most of which are supplied from sources other than the Inyan Kara aquifer. The Water Rights Program has record of eight Inyan Kara wells within approximately five miles of 2543-2 (Water Rights, 2004a). The potential affect of this appropriation on domestic wells must be considered. An "adversely impacted

domestic well" is defined by ARSD 74:02:04:20(7), as a well that was constructed to allow the pump intake to be set at least 20 feet below the top of the aquifer, in which 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. It is likely that even if a domestic well completed into the Inyan Kara aquifer in this area experienced interference, it would still be capable of delivering sufficient water with a pump inlet placed near the top of the aquifer. Therefore adverse impact to domestic wells is not probable.

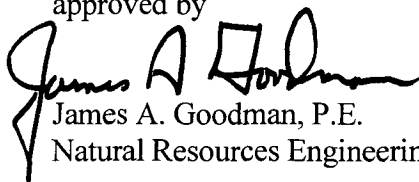
CONCLUSIONS:

1. The Inyan Kara Aquifer is a viable aquifer in this area, and water is available for this appropriation. Comparison of the estimated annual recharge to the aquifer with the water use estimated from the aquifer, and the observation well data indicate unappropriated water is available from the Inyan Kara aquifer.
2. Well interference should not be a problem at the proposed well site because of the distance from existing wells.



Ken Buhler
Natural Resources Engineering Specialist

approved by



James A. Goodman, P.E.
Natural Resources Engineering Director

REFERENCES:

- Allen, J.C., Iles, D.L., and Petres, A.K., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, Tasks 3A.B.C. and 4A.B.: Groundwater Resource Inventory: South Dakota Department of Water and Natural Resources,
- Driscoll, D.G., and Carter, J.M., 2001, Hydrologic Conditions and Budgets for the Black Hills of South Dakota, Through Water Year 1998: U.S. Geological Survey Water-Resources Investigations Report 01-4226, 143 p.
- Strobel, M.L., Jarrell, G.J., Sawyer, J.F., Schleicher, J.R., and 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

Strobel, M.L., Galloway, J.M., Hamade, G.R., and Jarrell, G.J., 2000, Potentiometric Surface of the Inyan Kara Aquifer in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-745, 3 sheets, scale 1:100,000

Water Rights, 2004a, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights, 2004b, "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights, 2004c, "Water 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. 2543-2, Heartland Country Ranchettes LLC**

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. 2543-2, Heartland Country Ranchettes LLC, c/o John Preston, PO Box 2400, Rapid City SD 57709.

The Chief Engineer is recommending APPROVAL of Application No. 2543-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Heartland Country Ranchettes LLC shall report to the Chief Engineer annually the amount of water withdrawn from the Inyan Kara Formation.

See report on application for additional information.

Garland Erbele, Chief Engineer
December 16, 2004

RECEIVED
JAN - 3 2005
WATER RIGHTS
PROGRAM

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:

December 23, 2004

December 30, 2004

Cost of Printing Eighty-six dollars and
forty cents (\$86.40)

Patricia K. Van Patten
(Signature)

Legal Advertising Rep.
(Title)

12/30/04
(Date Signed)

Dec. 23, 30

L1835661

**NOTICE OF
APPLICATION NO. 2543-2
TO APPROPRIATE WATER**

Notice is given that Heartland Country Ranchettes, c/o John Preston, P.O. Box 2400, Rapid City, SD 57709, has filed an application for a water permit to appropriate 0.22 cubic feet of water per second from one well completed into the Inyan Kara Formation located in the SW¼NW¼ Section 10-T2S-R8E. The water is for use in a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2543-2 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 January 10, 2005.

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 Grantlund 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

Instruction to Newspaper - Publish first Notice on December 23, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2543-2 to Appropriate Water

Notice is given that Heartland Country Ranchettes LLC, c/o John Preston, PO Box 2400, Rapid City SD 57709 has filed an application for a water permit to appropriate 0.22 cubic feet of water per second from one well completed into the Inyan Kara Formation located in the SW ¼ NW ¼ Section 10-T2S-R8E. The water is for use in a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2543-2 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 January 10, 2005.

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

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

December 16, 2004

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

ATTENTION: Legal Public Notice

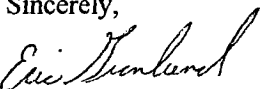
Enclosed is a Notice on Application No. 2543-2 to Appropriate Water to be published twice. Please publish the first notice on December 23, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Heartland Country Ranchettes LLC, % John Preston, PO Box 2400, Rapid City (Ph # 605-255-5500).

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. 2543-2

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

Date _____

We are in receipt of your letter of December 16, 2004 enclosing Notice to Appropriate Water by Application No. 2543-2 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.

December 16, 2004

Heartland Country Ranchettes LLC
% John Preston
PO Box 2400
Rapid City SD 57609

Dear Mr. Preston:

Water Permit Application No. 2543-2 for suburban housing development use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice 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 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

cc: Edmund L Stribel, Timberline Enterprises, 7005 Timberline Rd, Black Hawk SD 57718

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**

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

APR 19 2005

Heartland Country Ranchettes LLC
% John Preston
PO Box 2400
Rapid City SD 57709

Dear Mr. Preston:

Enclosed is Water Permit No. 2543-2 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

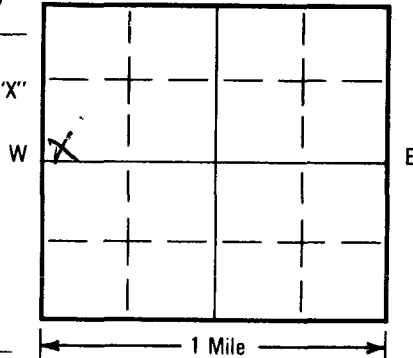
SOUTH DAKOTA WATER WELL COMPLETION REPORT

25432

07-92

Location SW 1/4 NW 1/4 Sec 10 Twp 25 Rg 8-ECounty Pennington

Please mark well location with an "X"



Well Completion Date

7-01-04

LOCATION:

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

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary - Air - WaterCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
23 LB/FT 7 IN 0 FT 1,802 FT 8 3/4 IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN

GROUTING DATA

Grout Type No. of Sacks Grout Weight From To
Portland 230 94 1/2 lb./gal 0 ft. 1,802 ft.
Type III _____ lb./gal _____ ft. _____ ft.

Describe grouting procedure Pressure grout thru casing with mud pump - displace with water to surfaceSCREEN: ☐ 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 CompleteWell Owner: Heartland Country Ranch, LLC

Business Name: _____

Address: P.O. Box 2400
Rapid City S.D. 57709

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Gravel</u>	<u>0'</u>	<u>10'</u>
<u>Blue shale & ss stripping</u>	<u>10'</u>	<u>1180'</u>
<u>DARK SAND & S. STONE</u>	<u>1180'</u>	<u>1280'</u>
<u>MULTI COLORED SANDSTONE</u>	<u>1280'</u>	<u>1300'</u>
<u>BROY STICKY CLAY</u>	<u>1300'</u>	<u>1400'</u>
<u>SAND & S. STONE</u>	<u>1400'</u>	<u>1475'</u>
<u>WHITE GRAY & Red SHALE</u>	<u>1475'</u>	<u>1520'</u>
<u>WHITE LAYER & LARG S. STONE</u>	<u>1520'</u>	<u>1705'</u>
<u>BROWNISH GRAY SHALE</u>	<u>1705'</u>	<u>1740'</u>
<u>ORANGE & Purple S. STONE</u>	<u>1740'</u>	<u>1750'</u>
<u>HARD SAND & SHALE</u>	<u>1750'</u>	<u>1760'</u>
<u>SOFT SANDSTONE</u>	<u>1760'</u>	<u>1770'</u>
<u>SANDY SHALE</u>	<u>1770'</u>	<u>1780'</u>
<u>HARD SHALE</u>	<u>1780'</u>	<u>1800'</u>

STATIC WATER LEVEL 450 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: Air developed
☐ Bailed

☒ Other
 Pumping Level Below Land Surface 600' 1 Blew. 25 GPM
1100 ft. After 2 Hrs. Blw 200 GPM
1000 ft. After 2 Hrs. Blw 150 GPM

If pump installed, pump rate 100 GPM

REMARKS

will set 100 GPM pump @ 1,000'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:

JAN 25 2005

WATER RIGHTS PROGRAM

Date: _____

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

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

I have this day, **December 13, 2013** made a thorough examination of the water system used by **Heartland Country Ranchettes LLC, PO Box 2400, Rapid City, SD 57709, holder of Water Permit No. 2543-2**, bearing the priority date of **September 30, 2004** and authorizing the diversion of **0.22 cubic feet per second (cfs)** or 100 gallons per minute (gpm) from one well located in the SW ¼ NW ¼ of Section 10, T2S-R8E and completed into the Inyan Kara aquifer at approximately 1,802 feet deep for the purposes of supplying water for a **suburban housing development in Pennington County**.

I have the following conditions to report for the system in question:

- 1) Works used to divert water:
One 20 hp, three phase pump and two 7.5 hp Grundfos boosters.
- 2) Works used to transport water to a place of use:
Six inch underground pipes.
- 3) Works used to apply water to beneficial use:
N/A

The system is in the following condition: well maintained. The well associated with Water Permit No. 2543-2 is located in the SW ¼ NW ¼ of Section 10, T2S-R8E. The exact location of the well is as follows:

- 1) **2,430 feet south and 160 feet east of the northwest corner of Section 10. Lat 43.89081N Lon 103.15843W.**

Water from the above well is used to supply approximately **75 residences in Sections 3, 9 and 10 of T2S-R8E.**

License should be issued for the ^{developed} ~~permitted~~ diversion rate of **0.19 cfs** or **85 gpm**.
Applicable permit qualifications have been complied with: **Yes**
Exceptions to compliance are: **None**
Date Report Completed: **June 24, 2014**



Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR WATER PERMIT NO. 2543-2

DATE OF INVESTIGATION:	May 22, 2014
NAME & ADDRESS OF PERMIT HOLDER	Heartland Country Ranchettes LLC PO Box 2400 Rapid City, SD 57709
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Edmund Striebel Caretaker
DIVERSION POINT LEGAL LOCATIONS	1) 2,430 feet south and 160 feet east of the northwest corner of Section 10. Lat 43.89081N Lon 103.15843W.

WELL INFORMATION:

- 1) Well Drilling Firm: **Cimmeron**
- 2) Number of Wells: **1**
- 3) Depth: **1,802 feet**
- 4) Well Logs Available: **Yes**
- 5) Comment:

Pumps

- 1) Make: **Main Pump Unknown, two Grundfos Boosters in addition.**
- 2) Model:
- 3) Size:
- 4) Capacity: **85 gpm in total**

Casing

- 1) Diameter: **7 inches**
- 2) Length: **1,802 feet**
- 3) Type: **Steel**

Screen

- 1) Type: **None**
- 2) Length:
- 3) Static Water Level: **450 feet**

Motor

- 1) Make: **Main Pump Unknown, two Grundfos Boosters in addition.**
- 2) Model No:
- 3) Power: **20 hp (3 phase), 7.5 hp (x2)**

System Type

- 1) Make:
- 2) Overall length:
- 3) Number of Towers:
- 4) Distance Between Towers:
- 5) End Gun:
- 6) Pressure:
- 7) Capacity:

CHEMIGATION EQUIPMENT: No

- 1) Mainline Check Valve:
- 2) Low Pressure Drain:
- 3) Inspection Port/Air Relief:
- 4) Discharge 20 Feet Away:
- 5) Injection Line Check Valve or Positive Displacement Pump:
- 6) Injection Check Valve:
- 7) Properly Installed:

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by: **N/A**
- 2) All structures, wells, and lands on map: **Yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period: **No irrigation.**

COMMENTS:

- 1) Original permit was to supply 100 residential units with water. Farm Service Agency Aerial Maps show no more than 75 units completed in 2012.



Legend

-  Section Boundaries - PLSS
-  Well Location



0 0.125 0.25 0.5 Miles

Prepared by Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program





DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



2543-2

JUL 07 2014

John Preston
Heartland Country Ranchettes LLC
PO Box 2400
Rapid City SD 57709

Dear Mr. Preston:

Enclosed is Water License No. 2543-2. 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. 2543-2, 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. 2543-2

(1) Heartland Country Ranchettes LLC, PO Box 2400, Rapid City SD 57709 made Application No. 2543-2, September 30, 2004 for a water permit to divert 0.22 cubic feet of water per second from ground water (one well, Inyan Kara Formation), Pennington County, South Dakota for suburban housing development purposes. Permit No. 2543-2, with a priority date of September 30, 2004 was approved January 10, 2005 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 10, 2010 and for the application to beneficial use of water on or before January 10, 2014.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 0.19 cubic feet of water per second for beneficial use.

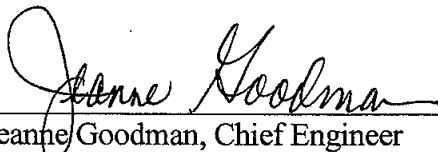
The location of the diversion point is 2,430 feet south and 160 feet east of the NW corner of Section 10, T2S, R8E (SW ¼ NW ¼).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Heartland Country Ranchettes LLC, PO Box 2400, Rapid City SD 57709 the holder and/or owner of Water Right No. 2543-2 is issued a license to appropriate water, the right to use 0.19 cubic feet of water per second from ground water (one well, Inyan Kara Formation) with a priority date of September 30, 2004 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. 2543-2 and subject to the following qualifications:

- 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.
- Heartland Country Ranchettes LLC shall report to the Chief Engineer annually the amount of water withdrawn from the Inyan Kara Formation.



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

JUL 07 2014

date



NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

NOV 10 2016

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 2543-2

Date: _____

I/We request that Water Right/Permit No. 2543-2 formerly owned by:Heartland Country Ranchettes LLC

be transferred to:

New Owner Name: Southern Black Hills Water SystemAddress: 26858 Highway 385City, State, Zip Hot Springs SD 57747 Telephone No 605-745-4669

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

☒ I understand that the validity of Water Right/Permit No. 2543-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Southern Black Hills Water System, the new owner, certify that the above information is true and correct.

Don Knowl SECRETARY,
(signed by new owner) Southern Black Hills
Water System

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 11/8, 20 16

RECEIVED OF Southern Black Hills Water Sys 26858 US Hwy 385 Hot Springs SD 57747

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>2543-2</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **07945**

By Jeanne Goodman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

December 21, 2016

2543-2

Don Kraus, Secretary
Southern Black Hills Water System
26858 US Hwy 385
Hot Springs SD 57747

Dear Mr. Kraus:

I am writing to acknowledge receipt of the transfer form and filing fee you paid for transferring ownership of Water Right No. 2543-2.

The ownership change has been completed. Water Right No. 2543-2 formerly held by Heartland Country Ranchettes LLC is now listed in the name of Southern Black Hills Water System.

Enclosed for your records is Receipt No. 07945 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosure