

WATER PERMIT NO. 2554-2

Name of Applicant: **First Baptist Church**

Address: **PO Box 426, Custer SD 57730**

Phone: **605 673-2431**

Amount of Water Claimed: **15 gpm**

Total Acres: **NA**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **institutional use**

County: **Custer**

Type of Waste Disposal System:

Location: **1 ½ east of Custer**

PRIORITY

Date Received: **3-24-05**

Application/License Fee: **\$100**

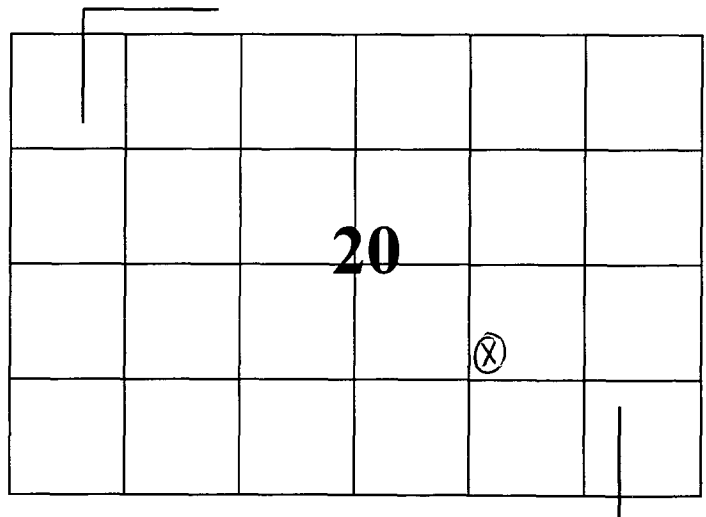
Corrected Application Received:

Period of Annual Use: **January 1 – December 31**

Remarks:

Diversion Point: **NE ¼ SE ¼ (Lot 2 of Terry
Subdivision) Sec 20-T3S-R5E**

Land to be Irrigated: **NA**



Depth of Well: **295 feet deep**

Well Driller: : **Howe Well Drilling**

Remarks:

Type of Map: **plat**

Prepared by: **Jack H Karst, PE**

Reviewed and the Number Assigned on: **3-24-05**

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. <u>2554-2</u> (office use only) Hydrologic Unit <u>10120109</u>
	Basin <u>Upper Cheyenne</u>
	Newspaper <u>Custer Co. Chronicle, Custer</u>

RECEIVED
MAR 24 2005
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 <u>CHURCH</u>	

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 FIRST BAPTIST CHURCH Phone 673-2431
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address P.O. BOX 426 CUSTER CITY State SO. DAK-57730-
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.033 *CFS or 15 **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 WELL (NE 1/4 SE 1/4)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) LOT 2 OF Terry Subdivision
of Tract Golden Circle and Tract Matheson of Terry Code and Terry #1 Code of
MS2039 SECTION 19 T3S R5E R4M CUSTER County CUSTER
- County or counties where water will be used CUSTER
- Annual period during which water is to be used 12 MONTHS A YEAR WHEN BLDG. IS COMPLETED 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)
WE HAVE BEGUN WORKING ON THINNING TREES - IT MAY BE A COUPLE OF
YEARS BEFORE WE START TO USE THE WELL AS IT MAY TAKE THAT LONG TO
GET THE BUILDING UP. NO WATER LINES HAVE YET BEEN DUG - JUST THE WELL.

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, William C. Savery, 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 William C. Savery

Subscribed and sworn to before me this 22 day of March 20 05

Lela M. Larson

Notary Public signature

My Commission Expires: 11-01-10

**SOUTH DAKOTA
WATER PERMIT NO. 2554-2**

Date of first receipt of application March 24, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2554-2 to First Baptist Church, PO Box 426, 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. 2554-2 appropriates 0.033 cubic feet of water per second (15 gallons per minute) from one well to be completed into the Precambrian aged Crystalline Rock (approximately 295 feet deep) located in Lot 2 of Terry Subdivision (NE ¼ SE ¼) Section 19-T3S-R5E.
2. The water appropriated shall be used for the purpose of institutional use 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. 2554-2 is June 27, 2005.
5. The date from which applicant may claim right is March 24, 2005.
6. One-fifth of the construction is to be completed on or before December 27, 2007.
7. All construction is to be completed on or before June 27, 2010.
8. Water is to be put to beneficial use on or before June 27, 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. The well authorized by Permit No. 2554-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

JUL 29 2005

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6" Depth 295'
- b) Casing Type 5 schedule 40 plastic Diameter 6" Thickness 5 schedule 40
- c) Screen Type None Diameter N/A Thickness N/A
- d) Gravel Pack None Length of Gravel Pack N/A
- e) Depth to Top of Water Bearing Material Unknown
- f) Depth to Water (ground surface to water level) 50'
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others 150'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) None SEWER District
- b) System Capacity (gallons) N/A Year Constructed 2004
- c) Connected to the City of CUSTER Sanitary System _____

3. Dugout Information

- a) Surface Dimensions N/A Depth N/A
- b) Depth to water (ground surface to water level) N/A

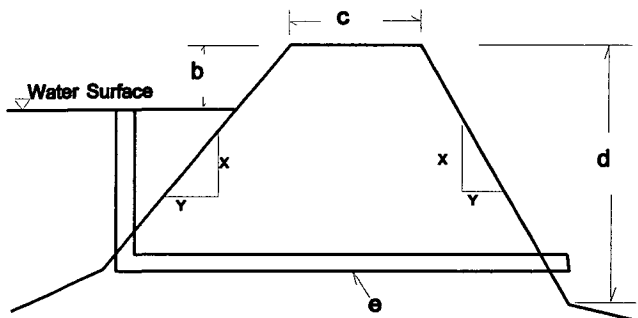
4. Water Storage Dams

N/A

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:

N/A



- 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 24, 2005

RECEIVED OF First Baptist Church Church, po Box 426, D Custer SD 57730

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

Fee for Application for Permit No. <u>2554-2</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>2554-2</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.

001814

By

Darlene Elvehjem
Chief Engineer
gm

TERRY SUBDIVISION

PLAT OF LOTS 1, 2, AND 3 OF TRACT GOLDEN CIRCLE AND TRACT MATTHESEN OF TERRY LODGE AND TERRY NO. 1 LODGE OF M.S. 2039, LOCATED IN THE SE 1/4 OF SECTION 19, AND IN THE SW 1/4 OF SECTION 20, T3S, R5E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA

NOTE

10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENT. IF THE LOT BORDERS NATIONAL FOREST THE ENTIRE 20 FEET WILL BE TAKEN FROM THE LOT.

LEGEND

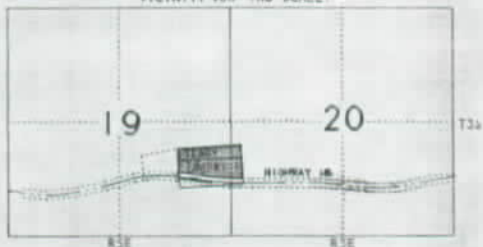
- CORNER SET THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BRYANT RLS 4896
- REBAR NO CAP SET AT TANGENT POINT
- BLM/GLO STONE CORNER FOUND

TABLE OF BEARINGS

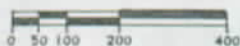
RECORDED BEARING OF S5°03'04"E WAS ASSIGNED TO THE INVERSE OF THE LINE FROM CORNER 2 TO CORNER 3 OF TERRY LODGE

LINE	BEARING	DISTANCE
L 1	S 82°06'38"E	35.16'
L 2	S 82°06'38"E	37.82'
L 3	N 42°15'56"E	170.46'
L 4	N 89°17'32"E	10.22'
L 5	S 03°28'14"E	102.00'
L 6	N 03°57'23"W	110.88'
L 7	S 82°06'38"E	141.72'
L 8	N 03°28'15"W	148.15'
L 9	S 82°06'38"E	39.20'
L 10	S 11°50'07"W	145.59'

VICINITY MAP TWO SCALE



SCALE 1" = 200'



DEADWOOD LODGE

TERRY LODGE

TRACT MATTHESEN

LOT 3
17.44 ACRES

TERRY NO. 1 LODGE

TRACT WELSH

PREPARED BY
JACK H. KNUST
BRYANT SURVEYING
41 N SIXTH STREET
CUSTER, SD 57730
605/673-2394

NOTE: THIS IS A PORTION OF LOT 1, SOUTH OF HWY 16A, WHICH IS INCLUDED IN THE TOTAL ACRES OF LOT 1

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	08°30'28"	5629.92'	635.91'	418.73'	635.15'	S 86°19'35"E
C 2	10°57'27"	100.00'	19.12'	9.59'	19.10'	N 36°47'06"E
C 3	47°01'40"	100.00'	82.08'	43.51'	79.79'	N 65°46'46"E

STATE OF SOUTH DAKOTA
COUNTY OF CUSTER S.S.

I, Larry D. Matthessen, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT WE DID AUTHORIZE AND DO HEREBY APPROVE THE SURVEY AND WITHIN PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND ERECTION AND SETBACK CONTROL, REGULATION.

WITNESS OUR HANDS, THIS 22nd DAY OF March, 2001

OWNERS: Larry D. Matthessen

ON THE 22nd DAY OF March, 2001 BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED Larry D. Matthessen

ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC: Sheryl A. Legner MY COMMISSION EXPIRES 04-14-01

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, DIRECTOR OF EQUALIZATION OF CUSTER COUNTY, DO HEREBY CERTIFY THAT I HAVE ON RECORD A COPY OF THE WITHIN DESCRIBED PLAT.

DATED THIS 22 DAY OF March, 2001

DIRECTOR OF EQUALIZATION

CERTIFICATE OF COUNTY TREASURER

I, 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.

DATED THIS 22 DAY OF March, 2001

TREASURER:

STATEMENT OF SURVEYOR

FOR BRYANT SURVEYING I, JACK H. KNUST, REGISTERED LAND SURVEYOR IN 1896 OF THE STATE OF SOUTH DAKOTA, DO HEREBY STATE THAT, AT THE REQUEST OF THE OWNERS LISTED HEREON, THE SURVEY AND WITHIN PLAT OF THE LAND SHOWN AND DESCRIBED HEREON WERE MADE UNDER MY PERSONAL 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 HEREUNTO SET MY HAND AND SEAL, THIS 20th DAY OF March, 2001.

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

CERTIFICATE OF HIGHWAY AUTHORITY

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

STREET OR HIGHWAY AUTHORITY:

RESOLUTION OF GOVERNING BOARD

STATE OF SOUTH DAKOTA
COUNTY OF CUSTER S.S.
WHEREAS THERE HAS BEEN PRESENTED TO THE COUNTY COMMISSIONERS OF CUSTER COUNTY, SOUTH DAKOTA, THE WITHIN PLAT OF THE ABOVE DESCRIBED LANDS, AND IT APPEARING TO THIS BOARD THAT:

- THE SYSTEM OF STREETS CONFORMS TO THE SYSTEM OF STREETS OF EXISTING PLATS AND SECTION LINES OF THE COUNTY.
- ADEQUATE PROVISION IS MADE FOR ACCESS TO ADJACENT UNPLATTED LANDS BY PUBLIC DEDICATION OR SECTION LINE WHEN PHYSICALLY ACCESSIBLE.
- ALL PROVISIONS OF THE COUNTY SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH.
- ALL TAXES AND SPECIAL ASSESSMENTS UPON THE PROPERTY HAVE BEEN FULLY PAID, AND
- THE PLAT AND SURVEY HAVE BEEN LAWFULLY EXECUTED.

NOW THEREFORE, BE IT RESOLVED THAT SAID PLAT IS HEREBY APPROVED IN ALL RESPECTS, THIS 22 DAY OF March, 2001.

CHAIR PERSON, COUNTY COMMISSIONERS

I, AUDITOR OF CUSTER COUNTY, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING HELD ON THE 22 DAY OF March, 2001, THE CUSTER COUNTY COMMISSIONERS BY RESOLUTION DID APPROVE THE PLAT AS SHOWN HEREON.

CUSTER COUNTY AUDITOR:

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 CONFORMS TO THE SYSTEM OF STREETS OF THE EXISTING PLATS OF THE MUNICIPALITY.
- ALL PROVISIONS OF ANY THREE MILE LIMIT SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH.
- ALL TAXES AND SPECIAL ASSESSMENTS UPON THE SUBDIVISION HAVE BEEN FULLY PAID, AND
- THE PLAT AND SURVEY THEREOF HAVE BEEN EXECUTED ACCORDING TO LAW.

NOW THEREFORE, BE IT RESOLVED THAT SAID PLAT IS HEREBY APPROVED IN ALL RESPECTS, THIS 22 DAY OF March, 2001.

MAYOR OF THE CITY OF CUSTER

I, FINANCE OFFICER OF THE CITY OF CUSTER, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING HELD ON THE 22 DAY OF March, 2001, THE 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 22 DAY OF March, 2001 AT 9 O'CLOCK AM.

AND RECORDED IN BOOK 100 OF PLATS, ON PAGE 100

REGISTER OF DEEDS, CUSTER COUNTY:



2554-2

RED X MARKS
EXACT LOCATION
OF NEW WELL

TERRY SUBDIVISION

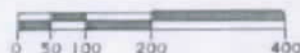
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CUSTER COUNTY, SOUTH DAKOTA

NOTE

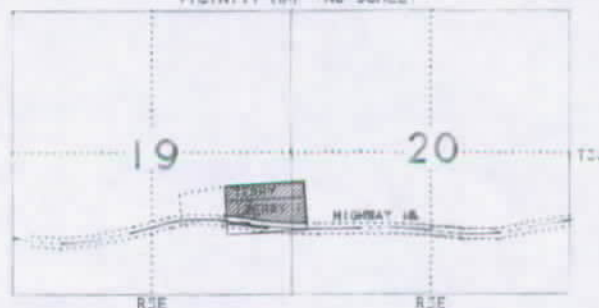
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SCALE 1" = 200'



VICINITY MAP (NO SCALE)



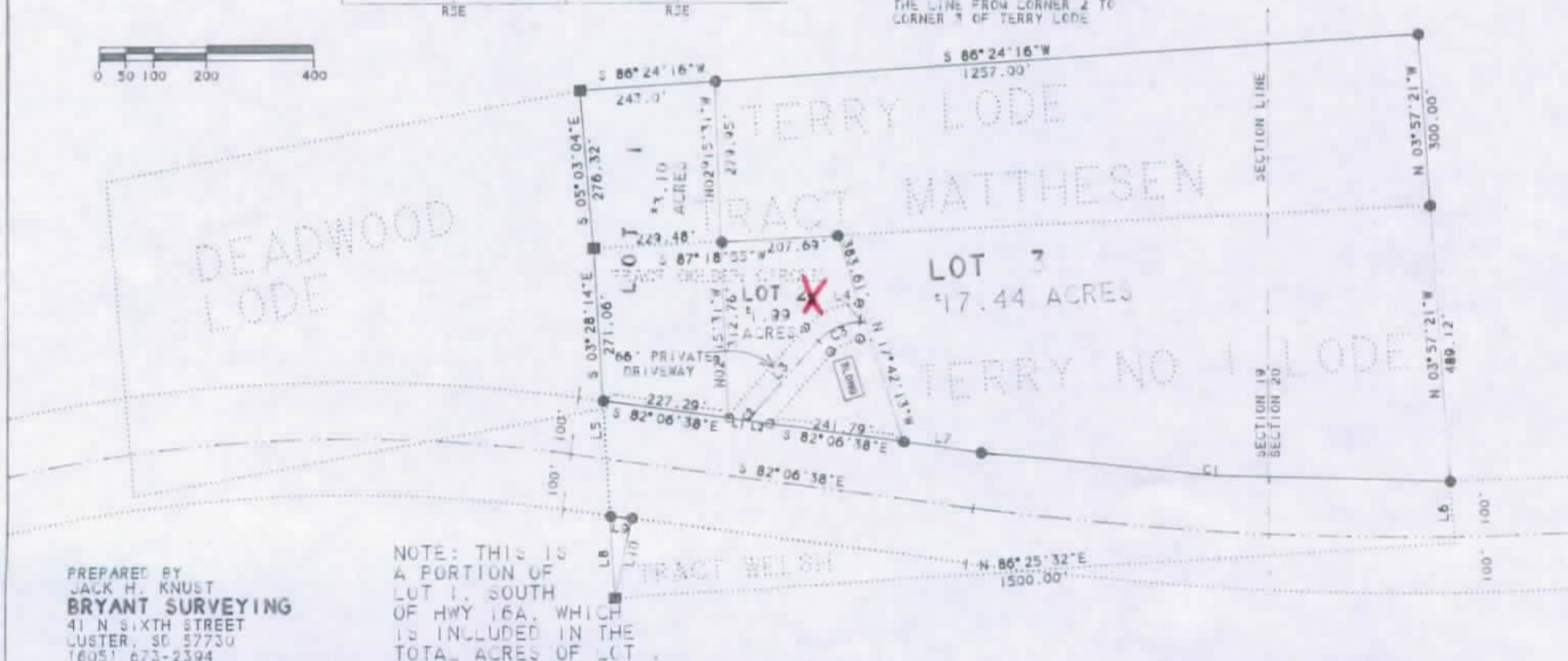
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MARKED BRYANT REG 4896
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RADIUS OF BEARINGS

RECORDED BEARING OF 55°03'04"E
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CORNER 3 OF TERRY LODGE

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07-92

Date:

~~WAS IN RIGHTS~~
~~1/11/1944~~

HOWE WELL DRILLING & EXCAVATING
P.O. BOX 766
CUSTER, SOUTH DAKOTA 57730

INVOICE

2720

(605) 673-4722

TO: Dr. Sharon Lenz

DATE 4/8/04

JOB NO.

Custer, SD 57730

JOB NAME

JOB LOCATION

TERMS

Quote good for 30 days

DESCRIPTION

PRICE

AMOUNT

>	Pump station with 90GPM pump installed		6000.00
	400' of 2" line + dig + backfill per ft		10.00
	300' of 2" line to clinic		4.50
	Rock removal & bedding material + disposal of rock		7000.00
	Well per ft		17.00
	Plastic casing per ft		6.50
	Well cap		75.00
	Dig 28x64 foundation		1200.00
	Backfill foundation		400.00
	Build parking area		800.00
>	3/4 horse pump, pipe + wire in well, 4x203 pressure tank, pitless adapter, misc. fittings, installed (based on 350' well)		1900.00
	water ditch: dig, backfill, 1" plastic pipe + wire per ft		4.50
	Gravel per load (estimate 50x60 lot - 6 loads)		150.00
	Plus 2% excise tax on total.		



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 2005

Bill Savery
First Baptist Church
648 Pageant Hill
Custer SD 57730

Dear Sir:

I am writing in regard to a well driller's report filed by Howe Well Drilling. The report shows a new well was completed for the First Baptist Church in May, 2004. Based on the information in the report, you will 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 institutional uses that require water permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute or use water outside of the school building.
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, 2005.**

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

Karen Schlaak
Water Rights Program
karen.schlaak@state.sd.us

*called 3/22/05
helped w/ completing appl.*

enclosures

KAREN SCHLAAR

HOPEFULLY THIS MATERIAL WILL
BE SUFFICIENT AS PER OUR PHONE
VISIT 3/22. THANK YOU FOR YOUR
HELP WITH THIS -

PLEASE LET ME KNOW IF
YOU NEED ANY OTHER INFORMATION.

ENCLOSED IS A CHECK FOR
\$100.00

RECEIVED
MAR 24 2005
WATER RIGHTS
PROGRAM

PASTOR BILLY SAVERY
FIRST BAPTIST CHURCH
P.O. BOX 426
CUSTER CITY, SOUTH DAKOTA
57730

605-673-2431

WATER PERMIT APPLICATION NO. 2554-2
FIRST BAPTIST CHURCH
MAY 24, 2005

Water Permit Application No. 2554-2 proposes to appropriate 0.033 cubic feet of water per second (15 gallons per minute)), from one well to be completed into the Precambrian aged Crystalline Rock aquifer (approximately 295 feet deep) located in Lot 2 of Terry Subdivision (NE¼ SE¼ Sec. 19, T3S-R5E, in Custer County. The water is for institutional use.

AQUIFER: Precambrian aged Crystalline Rock (CRSL)

Geology and Aquifer Characteristics:

The crystalline rock in this area consists of Metagraywacke, metamorphosed conglomerates, schist, quartzite, phyllite, iron formation, and Harney Peak Granite (Martin and others, 2004). The area is fairly complex geologically with at least two major faults in the area (Redden and Norton, 1975). The aquifer (crystalline rock) is exposed at the surface throughout this area, except where it is covered by alluvium along French Creek and its tributaries (Strobel and others, 1999). The aquifer is under unconfined conditions and the static water levels of wells in this area are probably at about the same elevation as French Creek. 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. Recharge to the crystalline rock occurs through infiltration of precipitation and streamflow losses. Average annual recharge to the aquifer has not been quantified.

The Water Rights Program monitors an observation well (CU-86A), completed into the crystalline aquifer approximately one and one-half miles west of this well site. The hydrograph for the well is shown in figure 1.

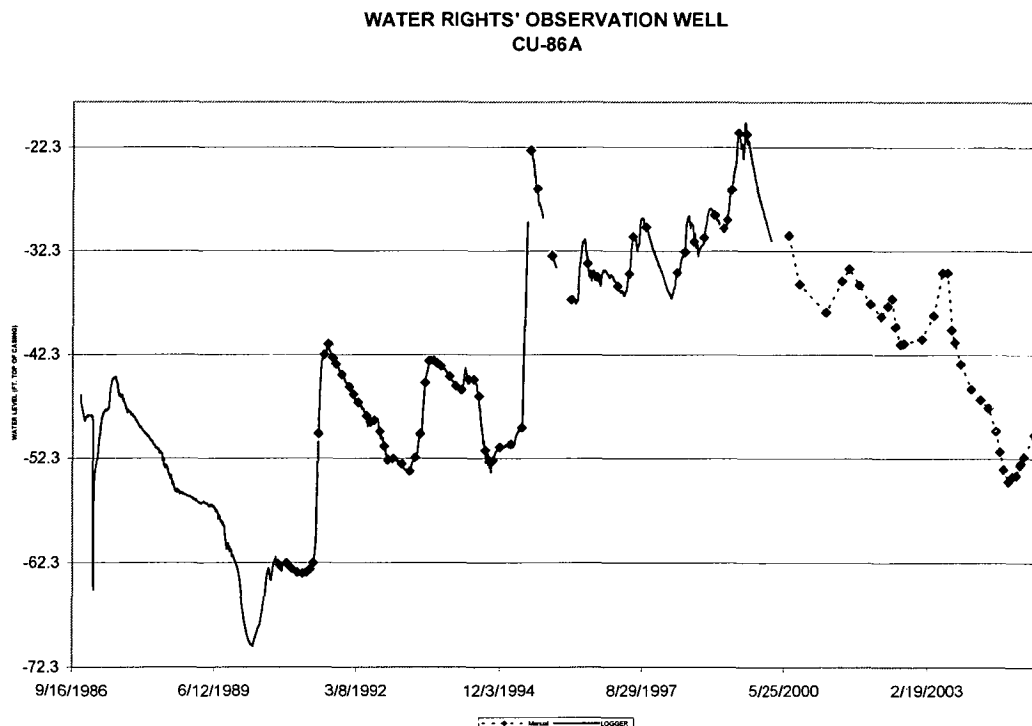


Figure 1. Hydrograph of Water Rights' Observation Well CU-86A, located approximately one and one-half miles west of 2554-2

Water levels in the observation well fluctuate over 50 feet in response to varying climatic conditions, rising during wet years and gradually declining water levels during dry years. The observation well data shows the water levels of the aquifer were 29 feet higher than the current level in 1999 and 20 feet lower in 1990. The hydrograph demonstrates that withdrawals have not exceeded recharge over the period of record. Approval of this application will not cause withdrawals to exceed recharge.

Review of Existing Water Rights:

There are a number of domestic wells completed into the crystalline rock in this area and there are six Water Rights/Permits appropriating water from the aquifer within approximately one mile of this site. The appropriations include:

PERMIT NO	NAME	USE	CFS
1924-2	CITY OF CUSTER	MUN	0.04
2026-2	JAN CHARLES GRAY	COM	0.02
2364-2	NORTHSTREAM INVESTMENTS	COM	0.06
2003-2	THE ROOST RESORT	COM	0.02
1956-2	VALLEY MOTEL	COM	0.07
1948-2	HOPE ENTERPRISES INC	COM	0.10

Table 1. Water Rights/Permits within approximately one mile of 2554-2

The well proposed by this application is located approximately five hundred feet from two of the wells that supply Water Right No. 2003-2.

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. Although the diversion rate proposed by this application is relatively small (15 gpm), is possible that drawdown from the Baptist well could be measurable in nearby wells.

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; drawdown of a few feet could be considered insignificant.

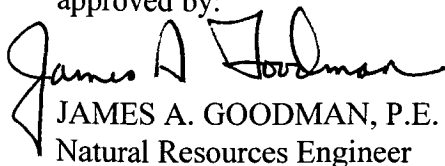
Conclusions:

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, 150 p.
- Martin, J.E., Sawyer, J.F., Fahrenbach, M.D., Tomhave, D.W., and Schulz, L.D., 2004, Geologic Map of South Dakota: S.D. DENR-Geologic Survey General Map 10, Scale 1:500,000
- 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, 2005a, Domestic Well Logs, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2005b, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2005c, Water Permit/Right Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.



**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. 2554-2, First Baptist Church**

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. 2554-2, First Baptist Church, c/o William Savery, PO Box 426, Custer SD 57730.

The Chief Engineer is recommending APPROVAL of Application No. 2554-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 2554-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 26, 2005

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

First Baptist ChurchApplication 2554-2 toAppropriate Water

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 8, 2005 ; June 15, 2005 ;_____ ; _____ ;_____ ; _____ ;_____ ; _____ ;

the full amount of the fees for the publication of the annexed notice is \$ 37.20

Charles W. NajachtSubscribed and sworn to me before this 15of June, 2005 ;Norma Najacht

NOTARY PUBLIC

MY COMMISSION EXPIRES: May 5, 2006

OK

NOTICE OF APPLICATION NO. 2554-2**TO APPROPRIATE WATER**

Notice is given that the First Baptist Church, PO Box 426, Custer SD 57730 has filed an application for a water permit to appropriate 0.033 cubic feet of water per second (15 gallons per minute) from one well to be completed into the Precambrian aged Crystalline Rock (approximately 295 feet deep) located in Lot 2 of Terry Subdivision (NE 1/4 SE 1/4) Section 19-T3S-R5E. The water is for institutional use purposes.

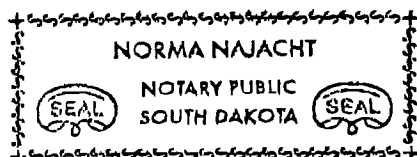
Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2554-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief 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 June 27, 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.

202, 6/8, 6/15



Instruction to Newspaper - Publish first Notice on June 8, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2554-2 to Appropriate Water

Notice is given that the First Baptist Church, PO Box 426, Custer SD 57730 has filed an application for a water permit to appropriate 0.033 cubic feet of water per second (15 gallons per minute) from one well to be completed into the Precambrian aged Crystalline Rock (approximately 295 feet deep) located in Lot 2 of Terry Subdivision (NE ¼ SE ¼) Section 19-T3S-R5E. The water is for institutional use purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2554-2 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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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 27, 2005

Custer Co Chronicle
PO Box 551
Custer SD 57730-0551

ATTENTION: Legal Public Notice

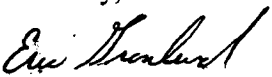
Enclosed is a Notice on Application No. 2554-2 to Appropriate Water to be published twice. Please publish the first notice on June 8, 2005 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 First Baptist Church, % Bill Savery, PO Box 426, Custer SD (Ph # 605-673-2431).

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. 2554-2

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

Date _____

We are in receipt of your letter of May 27, 2005 enclosing Notice to Appropriate Water by Application No. 2554-2 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.

May 27, 2005

First Baptist Church
%Bill Savery
PO Box 426
Custer SD 57730

Dear Mr. Savery:

Water Permit Application No. 2554-2 for institutional 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 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 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**

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

JUL 29 2005

First Baptist Church
% Bill Savery
PO Box 426
Custer SD 57730

Dear Mr. Savery:

Enclosed is Water Permit No. 2554-2 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

McMath, Genny

From: Harris, Linda (DENR)
Sent: Thursday, July 18, 2013 12:39 PM
To: McMath, Genny
Subject: First Baptist Church of Custer

Hi Genny,

I did an inspection at the Baptist's Camp Volunteer south of Custer. I was confused by the well logs for the church, but think I've figured it out. I'll try not to confuse you. ☺

Permit 2554-2 is for a well drilled in 2004 on church property off Hwy 16-A east of Custer. The location is 3S 5E Sec 19. The driller marked the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (DD), but WR shows is as DA. Here is the GPS reading that I took: N 43.77130 W 103.56152. This well does not currently serve a regulated public water system.

Permit 2332-2 is for a well serving Camp Volunteer, a regulated public water system, 2 miles south of Custer near the airport. Well drilled in 1994. The location is 4S 4E Sec 2. The driller marked the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ (BB), but WR shows is as CA. Here is the GPS reading that I took: N 43.73071 W 103.61268. This well is not being used due to high nitrates and fecal coliform. A replacement well was drilled about 18 feet away in 2001.

I don't see that their water permit was updated with the replacement well. The well log is filed under 3S 4E sec 25. I believe that log is really for the 2001 replacement well which should be 4S 4E Sec 2. Here is the GPS reading that I took: N 43.73071 W 103.61261.

If I had ArcGIS on my computer I could plot my GPS readings and confirm the well locations. I don't have that software, though, so someone else will have to do it if they so desire.

FYI – The water permits are under First Baptist Church/William Savery. Pastor Savery died in May 2012. His wife Marsha is our contact. PO Box 426, Custer. 605-673-2431.

**Water Rights Program - DENR
Conversation File Documentation**

NAME OF PERSON OR FILE: First Baptist Church

CONTACT ADDRESS: Marsha Savery, P.O. Box 4052, Custer, SD 57730

WELL PHYSICAL ADDRESS: 12480 US Highway 16A, Custer SD

WELL OWNER MAILING ADDRESS: Crossroads Evangelical Free Church, P.O. Box 628,
Custer, SD 57730

COUNTY: Custer County

DATE: January 13, 2016 **TELEPHONE:** (605) 517-1681 (Marsha Savery)
(605) 673-2120 (Crossroads Church)

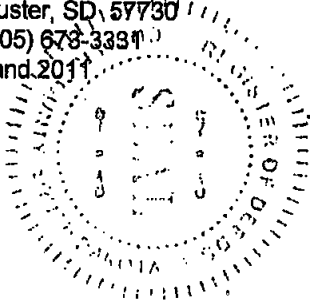
RE: Licensing of Water Permit No. 2554-2

COMMENTS: I made a site visit today for licensing permit 2554-2 for First Baptist Church. The original permit was filed by Marsha Savery's husband, now deceased. Marsha is now the contact person for the church properties owned by **First Baptist**. She was not quite sure of all of the details concerning the well, or even the exact location, but she was able to find legal papers including a plat map and shared well agreement. When Mr. Savery made application for the water permit, he used the correct legal description and plat description (Terry Subdivision, Lot B of Lot 2 of Tract Golden Circle) and had the well location shown correctly on the plat map. The lot however was not owned by First Baptist but rather by **Lewis Companies, LLC**. The two parties evidently shared in most of the costs of developing the well, including the pump which was donated by a Baptist Church in Tennessee (exactly what that pump was in unknown). A Shared well agreement was subsequently filed 9/2/2011 between First Baptist and Lewis Companies. Lewis Companies sold the property at some later date to the current owner, **Crossroads Church of Custer**. The water was put to beneficial use by Lewis Companies and is still being used by Crossroads Church. First Baptist Church will not build on their lot until they have raised all of the funds and their lot is vacant except for water and sewer lines. Contact addresses for both parties are shown above for the name change and/or transfer of ownership. **Note: the legal description shown on the hand written permit application by Bill Savery and the location on the DENR water permit are correct (NE ¼ SE ¼ S19 T3S R5E).** The legal descriptions shown on DENR water right search form, the well log, and the printed application information (first page of DENR pdf file) are all incorrect.

NAME: Steven Quissell, Water Rights Inspector



Prepared By:
Gerald M. Baldwin
Attorney at Law
Box 31
Custer, SD, 57730
(605) 678-3331
Land 2011



STATE OF SOUTH DAKOTA, COUNTY OF CUSTER-SS 56853

Filed this 2 Day of Sept 2011 AT 2:30 O'clock P.M.

BOOK 44 OF MISC PAGE 83

FEE \$ 16.00 pd. D. Bill Register of Deeds

CERTIFIED COPY
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT
REPRODUCTION OF A RECORD FILED IN THE OFFICE OF
REGISTER OF DEEDS, CUSTER COUNTY, SOUTH DAKOTA
DATE 9-2-11

D. Bill
REGISTER OF DEEDS

BY D. Bill DEPUTY

THIS CERTIFICATE MUST SHOW REGISTER OF DEEDS
RAISED SEAL IN ORDER TO BE A TRUE CERTIFIED COPY

JOINT WELL USE AGREEMENT

THIS AGREEMENT made by and between LEWIS COMPANIES, LLC, a South Dakota Limited Liability Company, of PO Box 360, Hill City, SD 57745, hereinafter designated as "Party of the First Part", and FIRST BAPTIST CHURCH, of PO Box 426, Custer, SD 57730, hereinafter designated as "Party of the Second Part", as follows:

WHEREAS Party of the First Part is the owner of that certain real property described as follows, to wit:

Lot B of Lot 2 of Tract Golden Circle of Terry Subdivision of Terry Lode and Terry No. 1 Lode of M.S. 2039, located in Section 19, Township 3 South, Range 5 East of the Black Hills Meridian, Custer County, South Dakota, as more particularly shown on Plat recorded in Book 12 of Plats, Page 125. (DOE #5190)

WHEREAS Party of the Second Part is the owner of that certain real property described as follows, to wit:

Lot 1 of Terry Subdivision of Tract Golden Circle and Tract Matthesen of Terry Lode and Terry No. 1 Lode of M.S. 2039, located in the SE1/4 of Section 19, and in the SW1/4 of Section 20, Township 3 South, Range 5 East of the Black Hills Meridian, Custer County, South Dakota, as shown on Plat recorded in Book 11 of Plats, Page 740. (DOE #10886)

Whereas there is presently located on property owned by Party of the First Part as hereinabove described, a water well to be used to supply water to the property of the Party of the Second Part, jointly with usage of said well by Party of the First Part, now therefore it is agreed as follows:

Part of the First Part grants unto Party of the Second Part, its successors and/or assigns, a perpetual right to draw water to supply a structure to be constructed upon said property of Party of the Second Part for their use only. No use by Party of the Second Part shall be permitted for yard watering or irrigation, or such other use that will interfere with the usage of the well by Party of the First Part for its domestic purposes.

At such time as Party of the Second Part commences usage of said well, Party of the Second Part agrees to pay one-half (1/2) of all monthly electric charges for operation of said well to Party of the First Part. Each party hereto shall be responsible for the cost of installation, repair, and maintenance of their respective water lines from the well pump, including all appurtenant equipment. The parties further agree that ordinary and reasonable expenses incurred for maintenance and repair of said well shall be shared equally between the parties. In the event that Party of the Second Part shall fail to pay their respective portion of any such operation and maintenance expenses within sixty (60) days of billing, this Easement shall thereupon terminate.

This agreement shall run with the land as hereinabove described, and shall be binding upon each parties heirs, successors, and/or assigns. In the event that either party shall fail to comply with the terms of this Agreement, the same shall be terminated after a thirty (30) day notice of default.

PARTY OF THE FIRST PART: LEWIS COMPANIES, LLC

BY: *Eric R Lewis*
ITS: Member

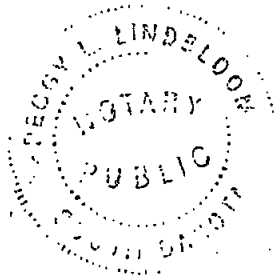
STATE OF SOUTH DAKOTA)
) SS
COUNTY OF Custer)

On this the 2ND day of SEPTEMBER, 2011, before me, the undersigned officer, personally appeared Eric R Lewis who acknowledged himself to be a Member of LEWIS COMPANIES, LLC, a South Dakota Limited Liability Company, and that he, as such Member being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Member.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Peggy L Lindbloom
Notary Public,

My Commission Expires:
4-29-2016
(SEAL)



PARTY OF THE SECOND PART: FIRST BAPTIST CHURCH

BY: William C Savery
ITS: pastor

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF Custer

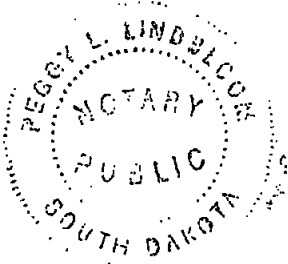
On this the 2nd day of September, 2011, before me, the undersigned officer, personally appeared William Savery who acknowledged himself to be Pastor of FIRST BAPTIST CHURCH, a South Dakota non-profit organization and that he, as such pastor being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as pastor.

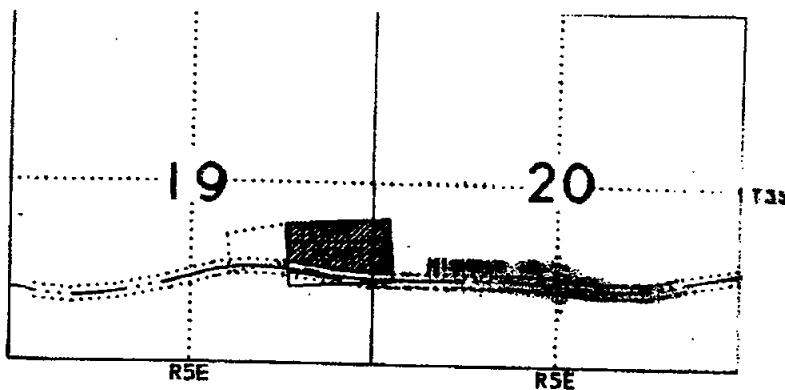
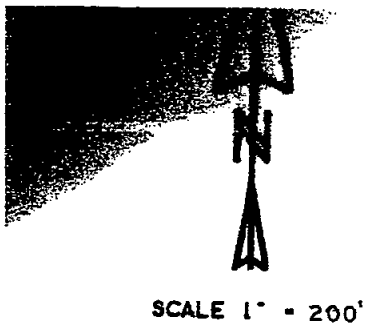
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Peggy L Lindbloom
Notary Public,

My Commission Expires:
4-29-2016

(SEAL)



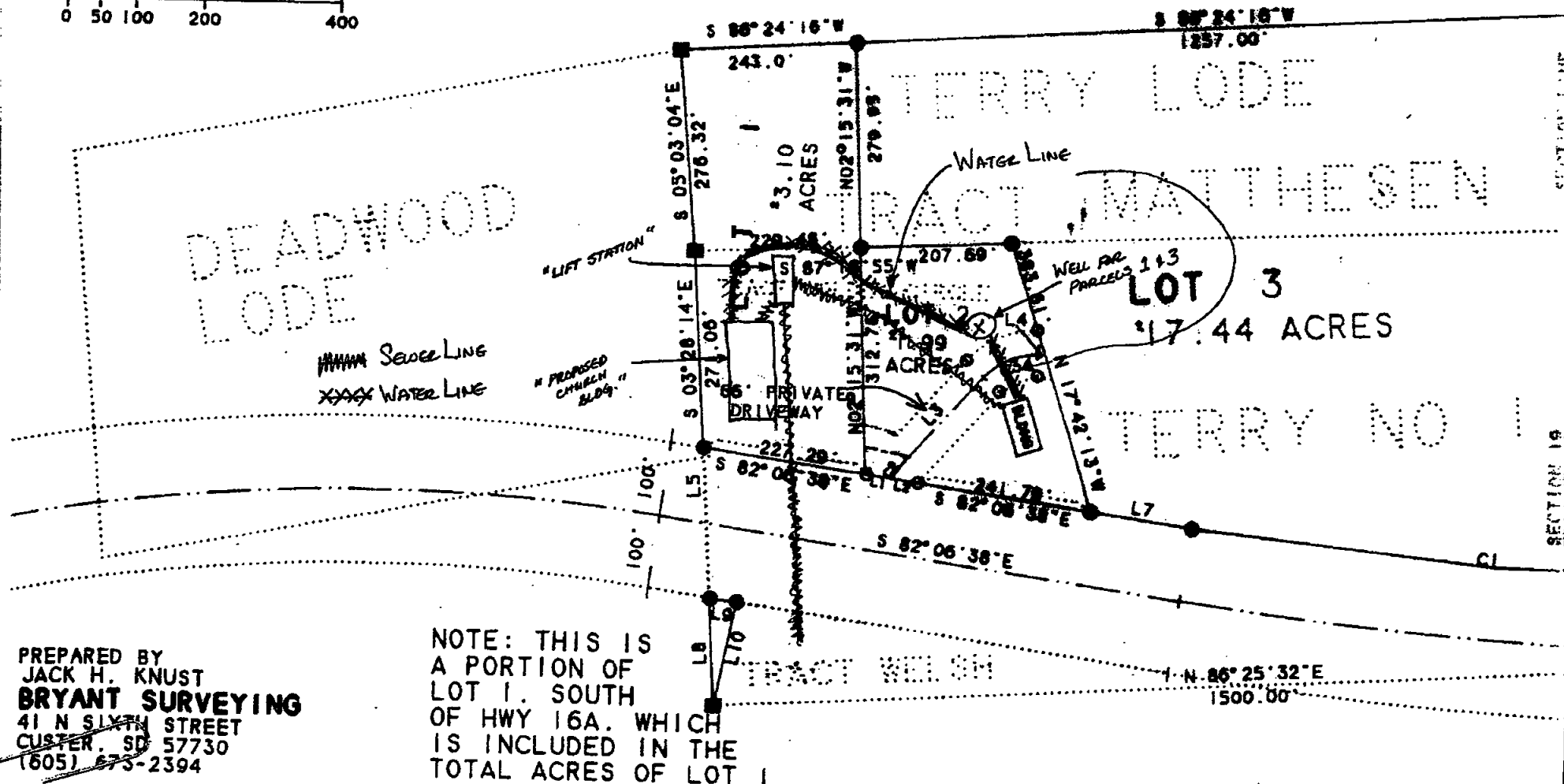


- CORNER SET THIS SURVEY
REBAR WITH ALUMINUM CAP
MARKED BRYANT BLS 4896
- REBAR NO CAP SET AT
TANGENT POINT
- BLM/GLO STONE CORNER
FOUND

LINE
L 1
L 2
L 3
L 4
L 5
L 6
L 7
L 8
L 9
L 10

BASIS OF BEARINGS

RECORDED BEARING OF S5°03'04"E
WAS ASSIGNED TO THE INVERSE OF
THE LINE FROM CORNER 2 TO
CORNER 3 OF TERRY LODGE



CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	C
C 1	08°30'26"	5629.92'	835.91'	418.73'	E

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 2554-2

I have this day, Jan 13, 2016 made a thorough examination of the water use system owned by Crossroads Evangelical Free Church, 12480 US Highway 16A, Custer, SD of Permit No. #2554-2, bearing the priority of 3/24/2005 authorizing the diversion of .033 cu. ft. per second of the water from one well for Institutional purposes, in Custer County.

Inspection contact & relationship
to permit holder, if applicable:

Marsha Savery, representing First Baptist Church
(First Baptist Church is a party to a shared well agreement involving this well)

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Howe Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 295 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 6 inches
- 2) Length 40 feet
- 3) Type PVC

Screen:

- 1) Type N/A
- 2) Length N/A feet
- 3) Static water level 50 feet

Pump:

- 1) Make unknown
- 2) Model unknown
- 3) Size 4" (assumed)
- 4) Capacity : **The well was shown as producing 15 gpm by the driller. I am assuming the pump is capable of producing approximately that amount. The pump was donated by a church in Tennessee and no one in South Dakota knows just what it may have been.**
- 5) Horsepower rating unknown

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

- 1) Type Plastic
- 2) Size -- inches
- 3) Length -- feet

C. Works used to apply water to beneficial use:

The water is used in the Crossroads Evangelical Church for restrooms and kitchen and will eventually be used by First Baptist Church for that also. First Baptist has not constructed a church on their property yet.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Exceptions to compliance are: **none**

E. Condition and Location:

1. The system is in **good** condition with the point of diversion located as follows: NE ¼ SE ¼ S19, T3S, R5E (1,451 ft. north and 845 ft. west of the SE corner) N 43.77130° W 103.56152°
2. The works are capable of diverting and conveying to the place of use **.03** cu. ft. per second (15 gpm) of water which is to be used for **institutional use** and the license should be issued for **.03 cfs**.
3. All structures, wells and lands on map – **Yes**

F. Comments or other permit(s) associated with the project:

A permit name change and/or transfer of ownership needs to be completed. The well is located on property owned by Crossroads Evangelical Free Church and also serves First Baptist Church by virtue of a pipeline allowed under a shared well agreement.



Steven Quissell
Water Rights Inspector
DENR, Water Rights Program

Date report completed: 1/14/2016



Crossroads Church well shown looking west towards First Baptist property

First Baptist Church
1/13/2016

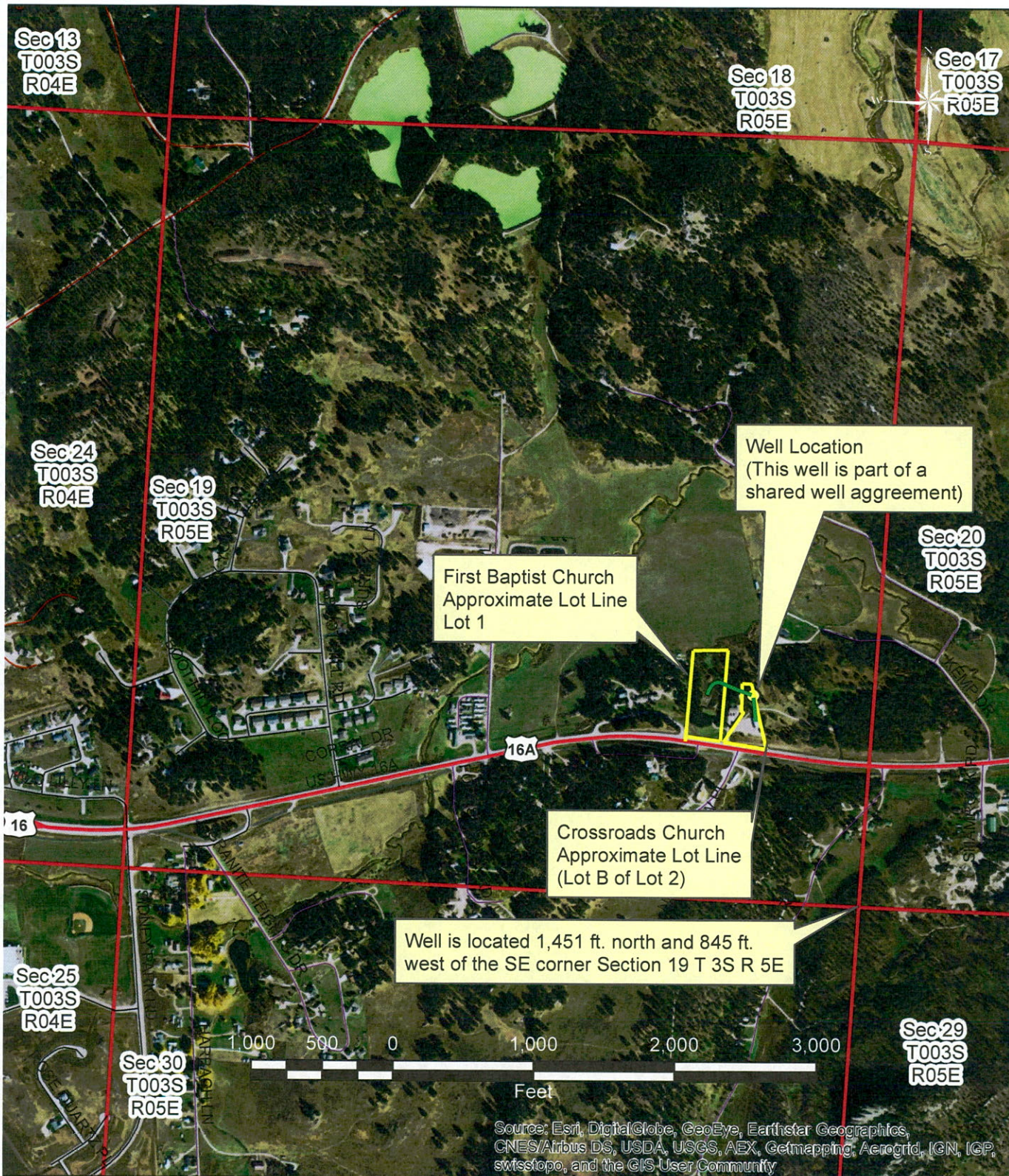


Steven Quissell

Steven Quissell
Water Rights Inspector
ENR Water Rights Program

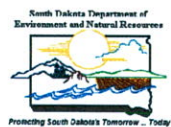


First Baptist Church
1/13/2016



Steven Quissell

Steven Quissell
Water Rights Inspector
ENR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

March 10, 2016

No. 2554-2

Crossroads Evangelical Free Church
PO Box 628
Custer SD 57730

Dear Sir:

On January 13, 2016 the investigation of the water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2554-2, was completed by Steven Quissell, a staff engineer with our program. The final water right document, the water license, can now be issued. A licensed water right will be similar to a property right that cannot be lost as long as the water use continues and you abide by the permit requirements. Enclosed is a copy of Water Permit No. 2554-2 for your records.

During the investigation, Mr. Quissell spoke with Marsha Savery who indicated the well authorized by this permit is on property now owned by the Crossroads Evangelical Free Church. It is our understanding that the well also serves First Baptist Church by virtue of a pipeline allowed under a shared well agreement.

Based on this information, enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Permit No. 2554-2. The water permit is currently listed in the name of First Baptist Church. The transfer form should be checked over for accuracy and **signed by the new owner.** Upon completion, return the form to our office with a required filing fee of \$50.00.

If you have any questions regarding the water permit, investigation of the water use system or payment of the fee, please contact Steven Quissell (605) 394-6763 or me at (605) 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program
email: karen.schlaak@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

AUG 24 2016

WATER RIGHTS
PROGRAM

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

No. 2554-2

Date: 8-9-2016

I/We request that Water Right/Permit No. 2554-2

formerly owned by: First Baptist Church

be transferred to: (name & address) X CROSSROADS CHURCH OF
CUSTER, SOUTH DAKOTA

Telephone No. 605-673-2420

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

one well located in the NE 1/4 SE 1/4 Section 19-T3S-R5E

I/We understand that the validity of Water Right/Permit No. 2554-2 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.

X I/We CROSSROADS CHURCH OF
CUSTER, SD, 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 8/24, 20 16

RECEIVED OF Custer Crossroads Church PO Box 628 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>2554-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____	50	00
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. **07899**

By *James Goodman* 99
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

SEP 06 2016

2554-2

Crossroads Church of Custer
PO Box 628
Custer SD 57730

Dear Sir:

Enclosed is Water License No. 2554-2. This is the final water right document completing the process of obtaining a Water Right. Enclosed is the receipt for \$50.00 which was paid for the Notice of Transfer of Ownership. The water right is now listed in the name of Crossroads Church of Custer. Also, included with the license are maps prepared by the staff engineer who conducted the 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. 2554-2, 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 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. 2554-2

(1) First Baptist Church, Custer SD made Application No. 2554-2, March 24, 2005 for a water permit to divert 0.033 cubic feet of water per second from one well – Precambrian Aged Crystalline Rock, Custer County, South Dakota for institutional use purposes. Permit No. 2554-2, with a priority date of March 24, 2005 was approved June 27, 2005 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before June 27, 2010 and for the application to beneficial use of water on or before June 27, 2014.

On August 24, 2016, Water Permit No. 2554-2 was transferred to Crossroads Church of Custer, PO Box 628, Custer SD 57730.

(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, the holder and/or owner of Water Right No. 2554-2 is issued a license, bearing a priority date of March 24, 2005 to appropriate 0.033 cubic feet of water per second from one well – Precambrian Aged Crystalline Rock for institutional use purposes.

The diversion point is located: 1,451 feet north and 845 feet west of the SE corner of Section 19-T3S-R5E (NE 1/4 SE 1/4).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2554-2 including 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.
- The well authorized by Permit No. 2554-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *The well was drilled by Howe Well Drilling in May, 2004. A copy of the log is on file with the Water Rights Program.*



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

SEP 06 2016

date

