

WATER PERMIT NO. 2598-2

Name of Applicant: Granite Point LLC

Address: 8017 Stirrup Ct, Rapid City SD 57702

Phone: 605 381-5613

Amount of Water Claimed: 0.067 cfs

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: suburban housing

County: Pennington

Type of Waste Disposal System:

Location: 4 miles southeast of Keystone

PRIORITY

Date Received: 8-14-06

Application/License Fee: \$100

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NE ¼ NW ¼ Sec 10-T2S-R6E

Land to be Irrigated: NA

Depth of Well: 184 feet deep

Well Driller: : Alexander Drilling

Remarks:

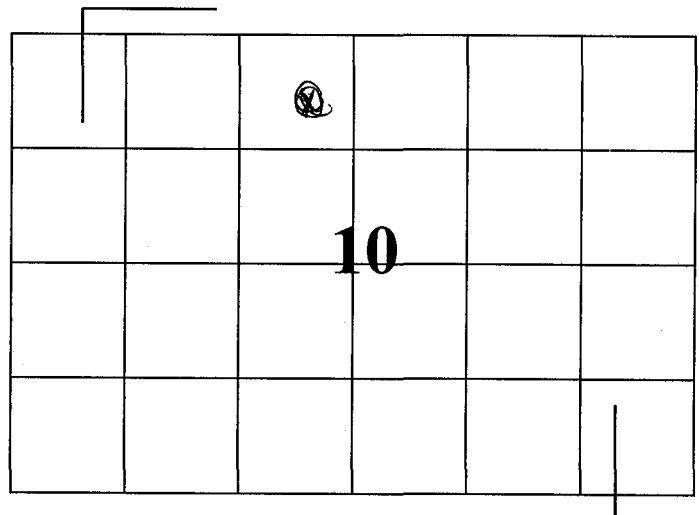
Type of Map: topo

Prepared by: Gary D Renner, PE

Reviewed and the Number Assigned on: 8-14-06

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

(office use only)
No. 2598-2 Hydrologic Unit 10120109
Basin Upper Cheyenne
Newspaper Rapid City Journal

RECEIVED
AUG 14 2006
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one)
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

1. Name of Applicant Granite Point LLC - Dere Quinn Phone 605-381-5613
(check one) ☒ Owner ☐ Tenant/lessee

Mailing Address 8017 Stirrup Ct, Rapid City 57702 State S.D.
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed 0.067 *CFS or 30 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable

3. Source of water supply well

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well

NE1/4 HW 14 Sect 10 Twp 25 R 6E

County Pennington

5. County or counties where water will be used Pennington

6. Annual period during which water is to be used all year Jan 1 - Dec 31

7. 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)

30 unit - mostly townhome - housing development about 1 mile east of Keystone on HW 40. Sewer is connected to the Town of Keystone sewer system.

STATE OF SOUTH DAKOTA)

County of Pennington SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

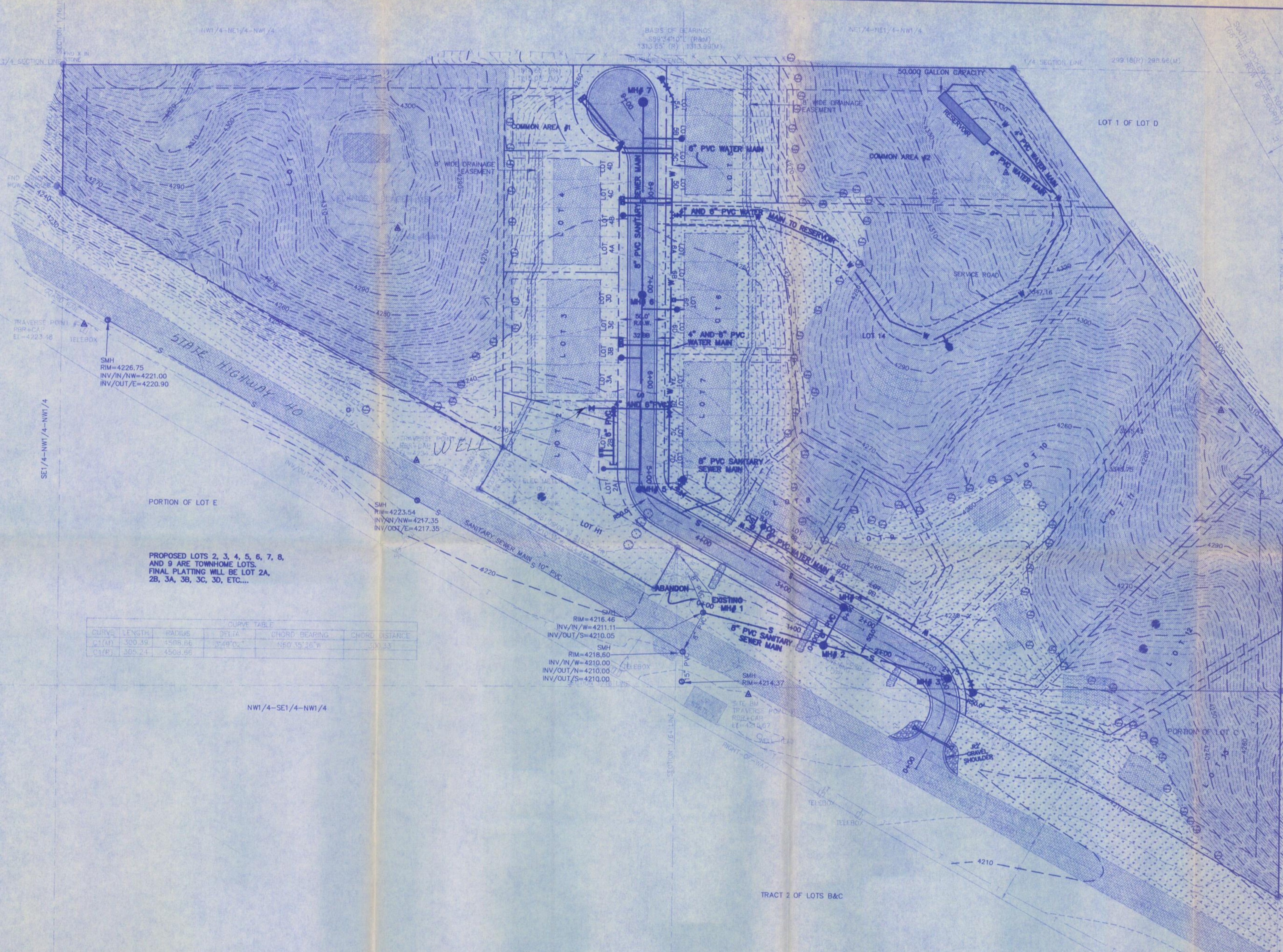
I, Dere B. Quinn, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Dere B. Quinn

Subscribed and sworn to before me this 31 day of July 2006

MICHELLE M. FLANERY
Notary Public
SEAL
South Dakota

Michelle M Flaney
Notary Public signature
my commission expires 12-18-2009



NOVEMBER 29, 2005

SCALE 1" = 50'

CONTOUR INTERVAL: 2'

LEGEND

- 3350.02 SPOT ELEVATION
- MANHOLE
- WATER VALVE
- POWER POLE
- LIGHT POLE
- TREE
- PINE
- BUSH
- TELEPHONE BOX
- PROPERTY LINE
- PROPOSED LOT LINE
- WIRE FENCE
- CURB & GUTTER
- POWER LINE
- TELEPHONE LINE
- SANITARY SEWER LINE
- STORM SEWER LINE
- MINOR CONTOUR (2')
- MAJOR CONTOUR (10')
- PROPOSED FIRE HYDRANT
- SET 5/8" REBAR W/CAP "RENNER-ASSOC 2652"
- FOUND 5/8" REBAR W/CAP LS 2652
- Denotes set 5/8" rebar with no cap for R.O.W. PC's & PT's
- Measured This Survey
- Recorded in a Previous Plat or Description

DEWING OUTLOT #1

UTILITIES

SOUTH DAKOTA ONE CALL NOTIFICATION CENTER
115 EVERGREEN HEIGHTS DRIVE
PITTSBURGH, PA 15229
1-800-781-7474

The locations of existing underground utilities are shown in an approximate way only and have not been independently verified by the owners or its representative. The contractor shall determine the exact location of all existing utilities before commencing work, and agrees to be fully responsible for any and all damages which might be occasioned by the contractor's failure to exactly locate and preserve any and all underground utilities.

NOTE:
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF RAPID CITY STANDARDS SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.

FURNISH AND PLACE SEED, FERTILIZER, AND LANDSCAPE BLANKET ON ALL DISTURBED GRASSY AREAS

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1(M)	300.39	4508.66	35.49°02'	N60°35'36"W	300.33
C1(R)	305.24	4508.66			

PREPARED FOR:

BENCHMARK REALTY INC.
ATTN: MIKE ALLEY
302 MAIN STREET
RAPID CITY, SD 57701

LOCATION:

ELKHORN PLACER MS 1502
PORTION OF LOTS C, D AND E
NE1/4 OF NW1/4,
SECTION 10, T2S, R6E, BHM
PENNINGTON COUNTY, SOUTH DAKOTA

Renner Engineering Company
616 Sixth St. • Rapid City, SD 57701 • 605/721-7310
FAX: 605/721-7313 • E-MAIL: Gary@RennerAssoc.com
Spearfish Office: 605/717-0016

REVISIONS

DATE	REVISION

PROJECT:

UTILITIES PLAN
GRANITE POINT
KEYSTONE, PENNINGTON COUNTY, SOUTH DAKOTA

SURVEYOR: TA & JO

SURVEY DATE: 12-2-04

DRAWN BY: PMM

DESIGNED: GDR

APPROVED: GDR

JOB NO.: 2114

SHEET

7

OF

10

2598-2

SOUTH DAKOTA
WATER PERMIT NO. 2598-2

Date of first receipt of application August 14, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2598-2 to Granite Point LLC, c/o Gene Quinn, 8017 Stirrup Ct, Rapid City SD 57702 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2598-2 appropriates 0.067 cubic feet of water per second from one well completed into the Crystalline Rock Aquifer (184 feet deep) located in the NE ¼ NW ¼ Section 10-T2S-R6E.
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. 2598-2 is November 13, 2006.
5. The date from which applicant may claim right is August 14, 2006.
6. One-fifth of the construction is to be completed on or before May 13, 2009.
7. All construction is to be completed on or before November 13, 2011.
8. Water is to be put to beneficial use on or before November 13, 2015.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

By: Garland Erbele

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

DEC 04 2006

date



Supplemental Information

(type or print in ink)

see well completion report

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8" Depth 184'
- b) Casing Type Steel Diameter 6" Thickness 18 LB/FT
- c) Screen Type none 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) 18'
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others 800' (estim)

2. Wastewater Disposal System Information

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

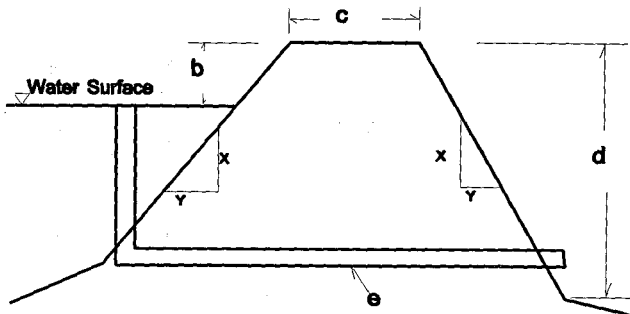
3. Dugout Information

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

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date August 14, 2006

RECEIVED OF Granite Point LLC, 8017 Stirrup Ct, Rapid City SD 57702-9581

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

Fee for Application for Permit No. <u>2598-2</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>2598-2</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.

02548

By

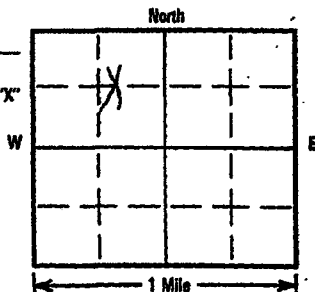
Darla D. Erbe
Chief Engineer
gm

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-82

Location NW 1/4 Sec 10 Twp 2S Rg 6ECounty PENN

Please mark well location with an "X"

Well Completion Date 2-11-94

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.): 100 ft from City Sewer (identify source).
Keystone

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary downhole Hammer

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>18</u> LB/FT	<u>6</u> IN	<u>0</u> FT	<u>30±</u> FT	<u>8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
_____	_____	_____ lb./gal	_____ ft.	_____ ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure Cement Packed around casing
Well originally drilled in 1960's
w/ cable rig. Casing driven into
Hard Rock.SCREEN: ☐ Perforated pipe ☐ Manufactured None
Diameter _____ IN Length _____ FEETMaterial _____
Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NOIf so, what material? Casing Driven into
Describe packer(s) and location? Hard Rock.

DISINFECTION:

Was well disinfected upon completion? X YES, How: Chlorine Solution
NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Derek AlexanderBusiness Name: HCR 87 - Box 21AAddress: Hill City, S.D. 57745

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Old Hole - Excellent steel	0	60
Casing 6" H ₂ O - NO Production		
Schist Hard grey	60	125
Quartz Vein	125	126
Fractured - 25 gpm		
Schist Hd. grey	126	150
Quartz - Fractured	150	152
H ₂ O - 60± gpm		
Schist Hd. grey	152	184

STATIC WATER LEVEL 18 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:

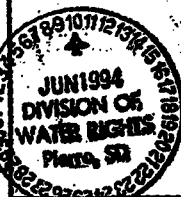
☒ Pumped w/AIR Describe: 60± gpm.☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump stopped, pump rate _____ GPM

REMARKS Well cleaned up good.This well was drilled under license # 32444

And this report is true and accurate.

Drilling firm Alexander Drilling Co.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 5-4-9412/19/94

REPORT ON PERMIT APPLICATION NO. 2598-2
GRANITE POINT LLC c/o GENE QUINN
SEPTEMBER 21, 2006

Water Right Application No. 2598-2 proposes to appropriate 0.067 cubic feet of water per second (30 gallons per minute) from one well completed into the Crystalline Rock aquifer (184 feet deep) located in the NE¼ NW¼ Sec. 10, T2S-R6E, Pennington County. The water is for use in a suburban housing development.

AQUIFER: Crystalline Rock (CRSL)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The water source for this application is the Precambrian aged rock which outcrops throughout this area. This Precambrian rock is a crystalline rock consists primarily of metagraywacke and quartz-mica schist or phyllite (Redden, 1975) and (Strobel and others, 1999). Although this rock type is distinguished by low porosity and permeability, groundwater is derived from thin bedding planes, joints, and fractures 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. Although faults, intrusives, the orientation of the beds, and lithologic changes within the beds all may serve as local aquitards, the crystalline rock can be considered a single hydrologic unit. The aquifer is under unconfined conditions with the water table expected to be approximately the level of Battle Creek in this area. The amount of recoverable water in storage in this aquifer has not been quantified. Considering the number of wells that are supplied from this aquifer, the crystalline rock is obviously a viable aquifer with water available for appropriation. The Water Rights Program monitors an observation well completed into the crystalline rock about 13 miles southwest of this well in the City of Custer. A hydrograph for the well is shown in Figure 1.

**WATER RIGHTS' OBSERVATION WELL
CU-86A**

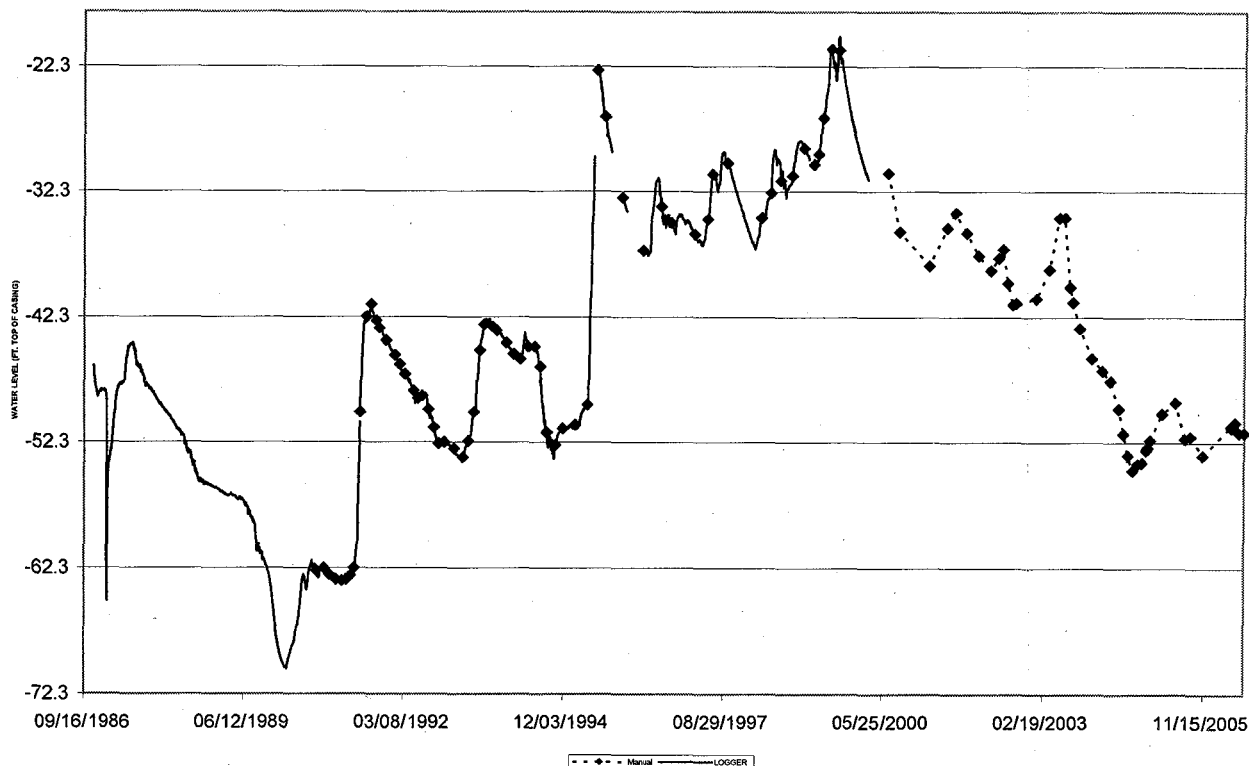


Figure 1. Hydrograph of Water Rights' Observation well located approximately 13 miles southwest of this well site, completed into the Crystalline Rock aquifer

The observation well shows the crystalline rock responds well to climatic conditions, that is the water levels rise during wet years and gradually decline during dry years. The water levels are expected to behave similarly in this area. Recharge to the crystalline rock in this area occurs through direct infiltration of precipitation via fractures and fissures, and possibly through streamflow from Battle Creek. There are no recharge estimates available for the crystalline rock in this area.

Effects on Existing Water Rights:

There are only two Water Rights appropriating groundwater within one mile of the well that is to be used to supply water for this appropriation. They are shown below in table one.

PERMIT NO	NAME	USE	CFS	DISTANCE FROM 2598-2
1595-2	ROCKY GULCH, LLC	COM	0.07	ONE MILE
2386-2	TOWN OF KEYSTONE	MUN	0.09	<400 FEET

Table 1. Groundwater Rights within one mile of 2598-2

It is not likely that this appropriation will have an adverse impact on these water rights since the requested diversion rate is relatively low and the distance to existing wells is sufficient to minimize any interference.

The Water Rights Program has record of a number of domestic wells completed into the crystalline rock in this area. Although most of these wells are "adequate" by definition (ARSD 74:02:04:20(6)) (i.e. constructed to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer), many of the wells have very low yields and at times are incapable of delivering sufficient water for the owner's needs because of limited water system storage.

ARSD 74:02:04:20(7) defines an adversely impacted domestic well 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. Under these circumstances it can be argued that, technically, any measurable interference (drawdown), from a competing well is actually an adverse impact.

It is unlikely that wells which are reliable water supplies will be negatively impacted by pumping from this proposed appropriation. However, in this hydrogeologic setting, low yield wells that are at best marginal in terms of supplying reliable water supplies could be "technically" affected, although any "practical" affect to the users water supply would be inconsequential. These users will continue to experience water problems regardless of the other uses in the area. Enforcement of the domestic well preference that is provided by statute would have to be considered on a case by case basis.

The well that is to be used to supply this appropriation was constructed in 1994 and was to be used for a commercial use by Derek Alexander. Mr. Alexander filed an application (No. 2314-2) proposing to appropriate 0.14 cfs (60 gallons per minute) for a suburban housing development and a commercial use. A number of parties petitioned in opposition to Application No. 2314-2, in part over concern regarding water availability and domestic well protection. At their October 26, 1994 meeting, the Water Management Board deferred an application (#2314-2) for this use for the applicant to provide more details regarding the proposed development. This application remained deferred until December 5, 2001, when it was withdrawn by the applicant.

CONCLUSIONS:

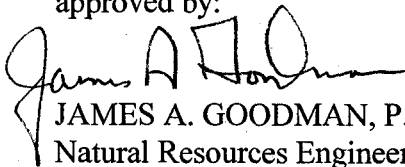
1. The Crystalline Rock is a viable source of groundwater in this area.
2. Recharge to the Crystalline Rock which is through direct infiltration of precipitation and streamflow loss, has not been quantified.

3. There is a reasonable probability that unappropriated groundwater is available from the Crystalline Rock in this area.
4. This proposed appropriation should have no adverse affect on existing water rights/permits due to the small diversion rate requested from the well.



KEN BUHLER
Natural Resource Engineer

approved by:



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

REFERENCES:

- Redden, J.A., 1975, "Precambrian Geology of the Black Hills", Mineral And Water Resources of South Dakota, USGS, US. Government Printing Office Washington, DC
- 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, 2006a, Domestic Well Logs, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2006b, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2006c, 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. 2598-2, Granite Point 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. 2598-2, Granite Point LLC, c/o Gene Quinn, 8017 Stirrup Ct, Rapid City SD 57702.

The Chief Engineer is recommending APPROVAL of Application No. 2598-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualification:

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

See report on application for additional information.

Garland Erbele, Chief Engineer
October 13, 2006



**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.

October 16, 2006

Granite Point LLC
% Gene Quinn
8017 Stirrup Ct
Rapid City SD 57702

Dear Mr. Quinn:

Water Permit Application No. 2598-2 for suburban housing 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

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

October 16, 2006

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

ATTENTION: Legal Public Notice

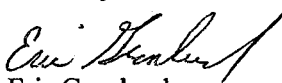
Enclosed is a Notice on Application No. 2598-2 to Appropriate Water to be published twice. Please publish the first notice on October 25, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

Please BILL the APPLICANT for the cost of publication. The APPLICANT is Granite Point LLC, % Gene Quinn, 8017 Stirrup Ct, Rapid City (Ph # 605-381-5613).

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. 2598-2

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

Date _____

We are in receipt of your letter of October 16, 2006 enclosing Notice to Appropriate Water by Application No. 2598-2 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on October 25, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2598-2 to Appropriate Water

Notice is given that Granite Point LLC, c/o Gene Quinn, 8017 Stirrup Ct, Rapid City SD 57702 has filed an application for a water permit to appropriate 0.067 cubic feet of water per second from one well completed into the Crystalline Rock Aquifer (184 feet deep) located in the NE ¼ NW ¼ Section 10-T2S-R6E. The water is for use in a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2598-2 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 November 13, 2006.

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

DEC 04 2006

Granite Point LLC
% Gene Quinn
8017 Stirrup Ct
Rapid City SD 57702

Dear Mr. Quinn:

Enclosed is Water Permit No. 2598-2 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

**Permit No. 2598-2
The Black Hills**

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 11, 2013 made a thorough examination of the water use system use by Granite Point LLC, 8017 Stirrup Ct, Rapid City, SD 57702 holder of Water Permit No. 2598-2, bearing the priority date of August 14, 2006 and authorizing the diversion of .067 cubic feet per second (cfs) or 30 gallons per minute (gpm) from a single well completed into the Crystalline Rock aquifer at approximately 184 feet deep for the purposes of supplying water to a suburban housing development in the NE ¼ NW ¼ of Section 10, T2S-R6E in Pennington County.

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

- 1) Works used to divert water:
Franklin Pump used in the fore mentioned well.
- 2) Works used to transport water to a place of use:
Underground pipes connected to houses. Size unknown.
- 3) Works used to apply water to beneficial use:
N/A

The system is in the following condition: well maintained. The location of the well associated with Water Permit No. 2598-2 can be described as follows:

- **1,000 feet south and 1,860 feet east of the northwest corner of Section 10, T2S-R6E.
Lat 43.89442N Lon 103.39226W.**

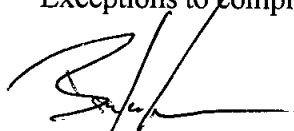
The locations of the housing complexes that are supplied by this system are as follows:

- 1) **1,040 feet south and 1,860 feet east of the northwest corner of Section 10, T2S-R6E.
Lat 43.89427N Lon 103.39223W. Consisting of 2 independent housing units.**
- 2) **700 feet south and 1,950 feet east of the northwest corner of Section 10, T2S-R6E.
Lat 43.89522N Lon 103.39193W. Consisting of 4 independent housing units.**

In total, 6 independent housing units in 2 larger buildings are supplied with water from Permit No. 2598-2. Although Gene Quinn, representative for Granite Point LLC had intended to construct additional units at the time Water Permit Application No. 2598-2 was submitted, this has not happened to date.

Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: **None** Date Report Completed: **February 12, 2014**



Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program

CHEMIGATION EQUIPMENT: N/A

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by: **No**
- 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 Occurring.**

COMMENTS:

- 1) Granite Point LLC plans to develop the area further, constructing more housing units utilizing the water supplied by Water Permit No. 2598-2. At the time of inspection, Gene Quinn, representative for Granite Point LLC was informed that should further development exceed the 30 gpm permitted, a new water permit application would need to be submitted.

FIELD INVESTIGATION REPORT FOR WATER PERMIT NO. 2598-2

DATE OF INVESTIGATION:	December 11, 2013
NAME & ADDRESS OF PERMIT HOLDER	Granite Point LLC 8017 Stirrup Ct Rapid City, SD 57702
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Gene Quinn Water System Caretaker
DIVERSION POINT LEGAL LOCATIONS	1,000 feet south and 1,860 feet east of the northwest corner of Section 10, T2S-R6E. Lat 43.89442N Lon 103.39226W.

WELL INFORMATION:

- 1) Well Drilling Firm:
Alexander Drilling Co.
- 2) Number of Wells: **1**
- 3) Depth: **184 feet**
- 4) Well Logs Available: **Yes**
- 5) Comment:

Screen

- 1) Type: **No Screen**
- 2) Length:
- 3) Static Water Level: **18 feet**

Motor

- 1) Make:
- 2) Model No:
- 3) Power:

Pumps

- 1) Make: **Franklin**
- 2) Model:
- 3) Size:
- 4) Capacity: **30 gpm**

System Type

- 1) Make: **No Irrigation System**
- 2) Overall length:
- 3) Number of Towers:
- 4) Distance Between Towers:
- 5) End Gun:
- 6) Pressure:
- 7) Capacity:

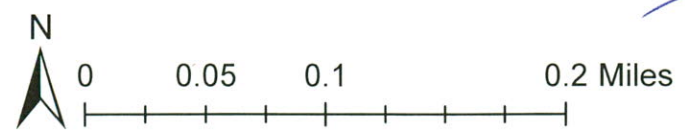
Casing

- 1) Diameter: **6 inches**
- 2) Length: **30 feet**
- 3) Type: **Steel**



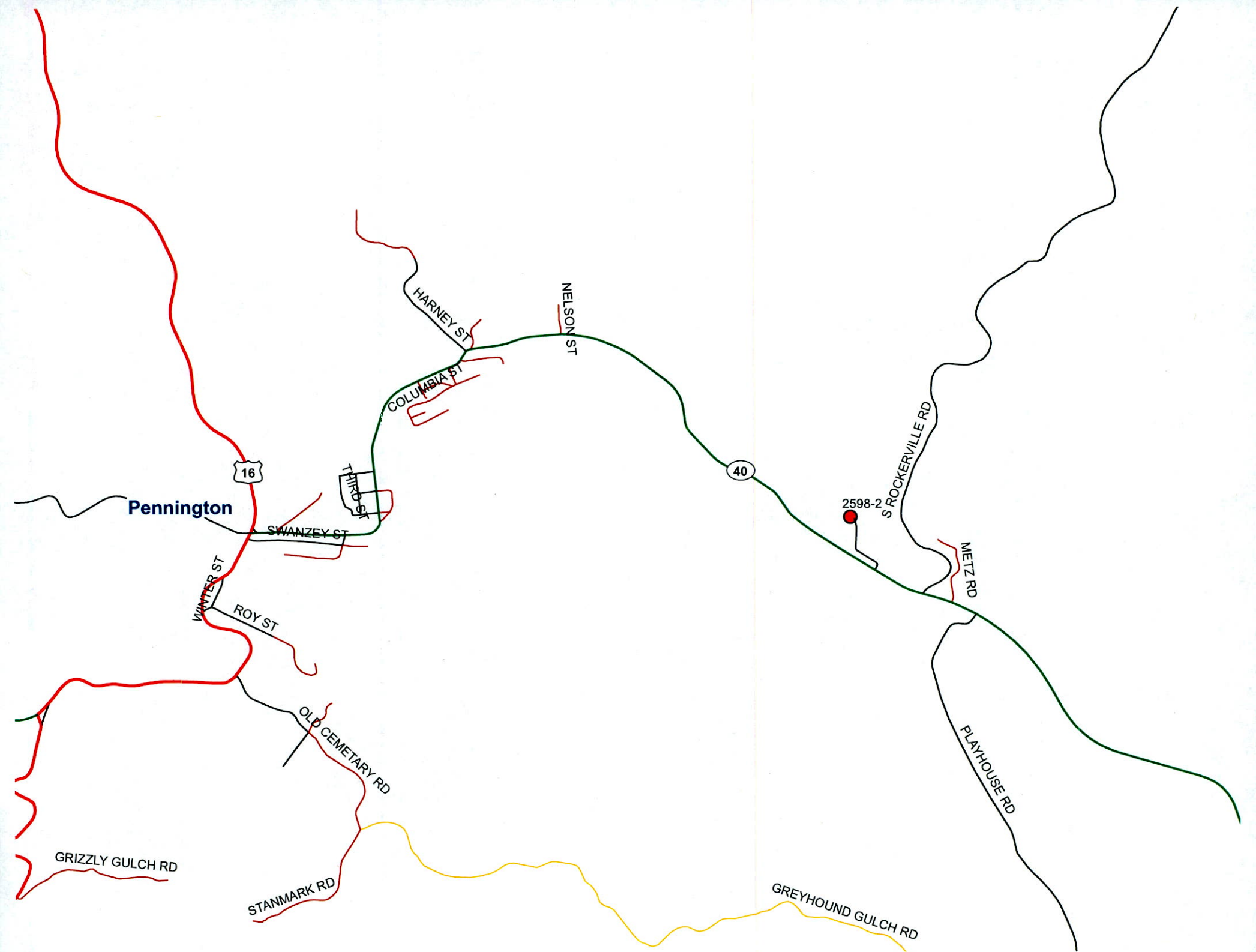
Legend

-  Housing Units
-  Section Boundaries - PLSS
-  Well Location



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







DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
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<http://denr.sd.gov>

FEB 20 2014

2598-2

Gene Quinn
Granite Point LLC
8017 Stirrup Ct
Rapid City SD 57702

Dear Mr. Quinn:

Enclosed is Water License No. 2598-2. 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. 2598-2, 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. 2598-2

(1) Granite Point LLC, 8017 Stirrup Ct., Rapid City SD 57702 made Application No. 2598-2, August 14, 2006 for a water permit to divert 0.067 cubic feet of water per second (30 gallons per minute) from ground water – one well, Crystalline Rock Aquifer, Pennington County, South Dakota for suburban housing development purposes. Permit No. 2598-2, with a priority date of August 14, 2006 was approved November 13, 2006 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 13, 2011 and for the application to beneficial use of said water on or before November 13, 2015.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.067 cubic feet of water per second for beneficial use.

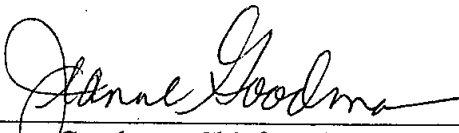
The location of the diversion point is 1,000 feet south and 1,860 feet east of the NW corner of Section 10, T2S, R6E (NE ¼ NW ¼).

(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 Granite Point LLC, 8017 Stirrup Ct., Rapid City SD 57702 the holder and/or owner of Water Right No. 2598-2 is issued a license to appropriate water, the right to use 0.067 cubic feet of water per second (30 gallons per minute) from ground water – one well, Crystalline Rock Aquifer with a priority date of August 14, 2006 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. 2598-2 and subject to the following qualification:

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



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

FEB 20 2014

date

